

### 3 LAND USE ELEMENT

*The purpose of the Land Use Element is to plan for and shape the future physical development of Livermore and to preserve and enhance Livermore's current quality of life, so that the City can remain a community with a mix of land uses providing varied job and housing opportunities while maintaining its surrounding agriculture and open space. The Land Use Element is the central chapter of the General Plan.*

As required by State law, this Land Use Element contains text and maps that designate the future use and reuse of land within Livermore City limits. The Land Use Element also includes standards of density and building intensity for the City of Livermore, which is also required by law.

While Alameda County has direct control over land in the unincorporated part of the Planning Area, the Livermore General Plan Land Use Element also provides guidance for this part of the Planning Area, which will be used by the City in commenting on projects in the Planning Area.

#### *A. Background Information*

##### **Land Uses in 2002**

In order to verify how land was being used in the City of Livermore and the surrounding Planning Area, a field reconnaissance was conducted in the summer of 2002. Additional information pertaining to 2002 land uses was obtained by reviewing the City's land use database, as well as examining aerial photographs. Land uses, as were in existence in 2002, are shown illustratively in Figure 3-1.

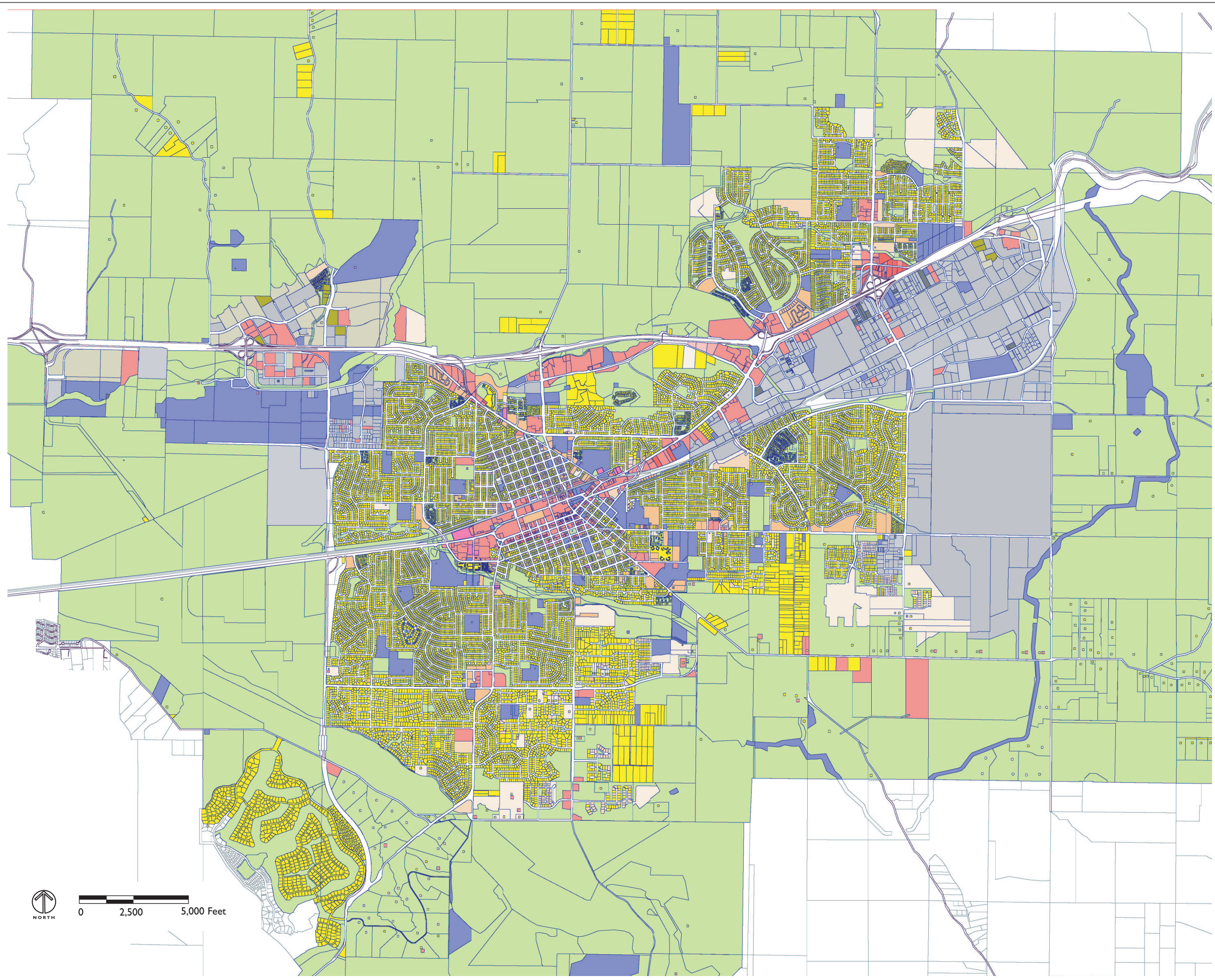
The existing land uses were grouped in the following general categories:


- ◆ **Single-Family Residential.** This is the predominant existing land use in the City. It refers to parcels which contain a single residence and related structures, such as garages and sheds. Some single-family residential parcels -- especially those on the edges of the City limits -- are referred to as rural residential because they also contain orchards, vineyards, and/or structures related to raising animals. Mobile homes and townhouses are also included in this category.

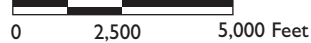
- ◆ **Multi-Family Residential.** Refers to parcels containing more than one residence in the form of condominiums, apartments, and group housing. Multi-family housing is found primarily on major streets such as East Avenue, Murrieta Boulevard, and Portola Avenue.
- ◆ **Office.** Refers to parcels containing structures which are used to conduct business, but do not contain a retail component. Office buildings are located primarily on the western part of the City on either side of I-580, as well as in the Downtown.
- ◆ **Retail.** Refers to parcels that are used for the purposes of buying or selling goods and services (e.g., food markets, restaurants, banks, and car dealerships). Service commercial uses and lodging are also included in this category. Retail uses are concentrated in the Downtown and along major streets including First Street, Portola Avenue, and Livermore Avenue.
- ◆ **Industrial.** Refers to parcels used for production and manufacturing, and includes warehouses, research and development, and production-oriented small businesses. Industrial uses are located primarily on the eastern side of the City near I-580. Additional industrial uses are found in the western part of the City near the Municipal Airport.
- ◆ **Public.** Public uses are government-owned and operated facilities such as public schools, post offices, the Civic Center, and fire stations.
- ◆ **Churches/Religious Uses and Other Institutions.** Parcels used for the practice of religion or spirituality including churches, synagogues, and religious residences. This category also includes cemeteries and private clubs.
- ◆ **Parks, Recreation and Open Space.** Includes recreational spaces like Robertson Park, the Las Positas and Springtown Golf Courses, and the rodeo grounds. This category also includes trails and areas of protected habitat.

FIGURE 3 - 1

**2002 EXISTING LAND USES  
(FOR ILLUSTRATIVE  
PURPOSES ONLY)**



-  Vacant Industrial
-  Underdeveloped Industrial
-  Developed Industrial
-  Vacant BCP
-  Developed BCP
-  Vacant Commercial
-  Underdeveloped Commercial
-  Developed Commercial
-  Public Uses
-  Vacant Public Uses
-  Residential Care Facilities
-  Open Space/Agriculture
-  Vacant Residential
-  Allocated Residential
-  Developed Single Family Residential
-  Developed Multi Family Residential

 NORTH  
 0 2,500 5,000 Feet

- ◆ **Agriculture.** Includes agricultural uses such as vineyards and orchards. This use also includes uses that support agriculture, such as tasting rooms and touring facilities. Some of these parcels appear to be completely undeveloped or are utilized for grazing and other low-intensity agriculture.
- ◆ **Airport.** Livermore's Municipal Airport is located in the western portion of the City. Examples of Airport operations include flight instruction, fuel sales, aircraft rental, and maintenance and storage of aircraft.
- ◆ **Undeveloped Land.** This designation includes land inside the urbanized area that is being held for development but is not yet developed.

Table 3-1 quantifies how much land within the City limits was taken up by each major land use in 2002. Single-family residential land uses occupy 5,123 acres, the largest amount of land in the City. Multi-family residential occupies 400 acres. Parks, recreation and open space are the second major existing use in the City, occupying 1,696 acres, while undeveloped parcels occupy 1,785 acres, and agriculture occupies 1,068 acres. Public uses occupy 703 acres, and industrial uses occupy 960 acres. Office uses occupy 248 acres, retail 561 acres, and churches and other institutional uses occupy 149 acres.

### **Residential Growth Rate**

Livermore has had a residential growth policy in place since 1976. The residential growth rate was initially established at two percent on a first-come, first-served basis for developers. By 1979, this strategy evolved into the Residential Development Policy (RDP), which required an extensive project review process in order to establish priority for individual development projects. In 1988, the RDP was replaced by the three-year Housing Implementation Program (HIP), which permitted a growth rate of between 1.5 percent and 3.5 percent annually for a three-year period. The HIP permits the City to target specific types of housing and growth management objectives in each three-year period (see LU 2.1 and subsequent policies and actions). As part of the 2003 General Plan update, the growth rate was changed to a numerical range between 140 and 700 dwelling units per year, equivalent to a 0.5 to 2.5 percent growth rate, based on the existing number of dwelling units as of November 2002, as stated in policy LU-2.1.P6.

TABLE 3-1 2002 EXISTING LAND USES

| Existing Land Uses                    | *Net Acres Within City Limits |
|---------------------------------------|-------------------------------|
| <b>Single-Family Residential</b>      |                               |
| Detached Single-Family Residential    | 3,919                         |
| Couplet and Zero Lot Line Residential | 123                           |
| Townhouse Residential                 | 172                           |
| Mobile Home                           | 63                            |
| Rural Residential                     | 846                           |
| <b><i>Total</i></b>                   | <b><i>5,123</i></b>           |
| <b>Multi-Family Residential</b>       |                               |
| Condominium Residential               | 55                            |
| Duplex, Triplex or Fourplex           | 83                            |
| Apartment (5 or more dwellings)       | 241                           |
| Group Quarters                        | 21                            |
| <b><i>Total</i></b>                   | <b><i>400</i></b>             |
| <b>Office</b>                         | <b>248</b>                    |
| <b>Retail</b>                         | <b>561</b>                    |
| <b>Industrial</b>                     |                               |
| Manufacturing                         | 369                           |
| Research and Development              | 23                            |
| Warehousing                           | 118                           |
| Construction Services                 | 241                           |
| Repair Services                       | 78                            |
| Wholesale Trade                       | 131                           |
| <b><i>Total</i></b>                   | <b><i>960</i></b>             |
| <b>Public Uses</b>                    |                               |
| Educational                           | 414                           |
| Governmental Offices                  | 41                            |
| Utility, Government Service           | 252                           |
| Medical                               | 26                            |

|                                     |               |
|-------------------------------------|---------------|
| <i>Total</i>                        | <i>703</i>    |
| <b>Churches and Institutions</b>    |               |
| Religious Uses and Private Clubs    | 132           |
| Cemeteries, Crematories, Mortuaries | 17            |
| <i>Total</i>                        | <i>149</i>    |
| <b>Parks and Recreation</b>         |               |
| Recreational Park (Golf Course)     | 353           |
| Private Recreational                | 196           |
| Entertainment and Recreation        | 62            |
| Local Park                          | 331           |
| Trailways and Creeks                | 473           |
| Habitat Areas                       | 282           |
| <i>Total</i>                        | <i>1,696</i>  |
| <b>Agriculture</b>                  |               |
| Agricultural Uses                   | 1,061         |
| Agricultural Product Sales          | 7             |
| <i>Total</i>                        | <i>1,068</i>  |
| <b>Airport**</b>                    | 400           |
| <b>Undeveloped Parcels</b>          | <b>1,785</b>  |
| <i>Total</i>                        | <i>13,123</i> |

Source: City of Livermore, 2002.

\*Total acres provided are “net” and exclude public right-of-way areas.

\*\*Airport acreage identified represents the area used for Airport operations, including required FAA safety areas. Total area owned by the Airport, including portions used for agriculture which are additional safety areas, is 643 acres.

### Urban Growth Boundary

Livermore is completely surrounded by an Urban Growth Boundary (UGB). The location of the UGB is shown in Figure 1-2. This boundary is intended to protect existing agricultural uses and natural resources outside the City from future urban development.

Livermore's UGB was completed in two phases. The *South Livermore Urban Growth Boundary Initiative*, passed by local voters in March 2000, established the UGB around the southern edge of the City. In December 2002, the City Council passed the *North Livermore Urban Growth Boundary Initiative*, which completed the UGB around the northern edge of the City. While both UGBs share goals of preserving agriculture and open space and preventing urbanization, the policies regarding development beyond each UGB and changes to each UGB are different. These policies are discussed in greater detail under Objectives LU-5.1, 5.2, 10.1, 11.1, 17.1, 18.1, 19.1, and in Section F, Allowed Development in South Livermore.

### **Jobs/Housing Balance and Match**

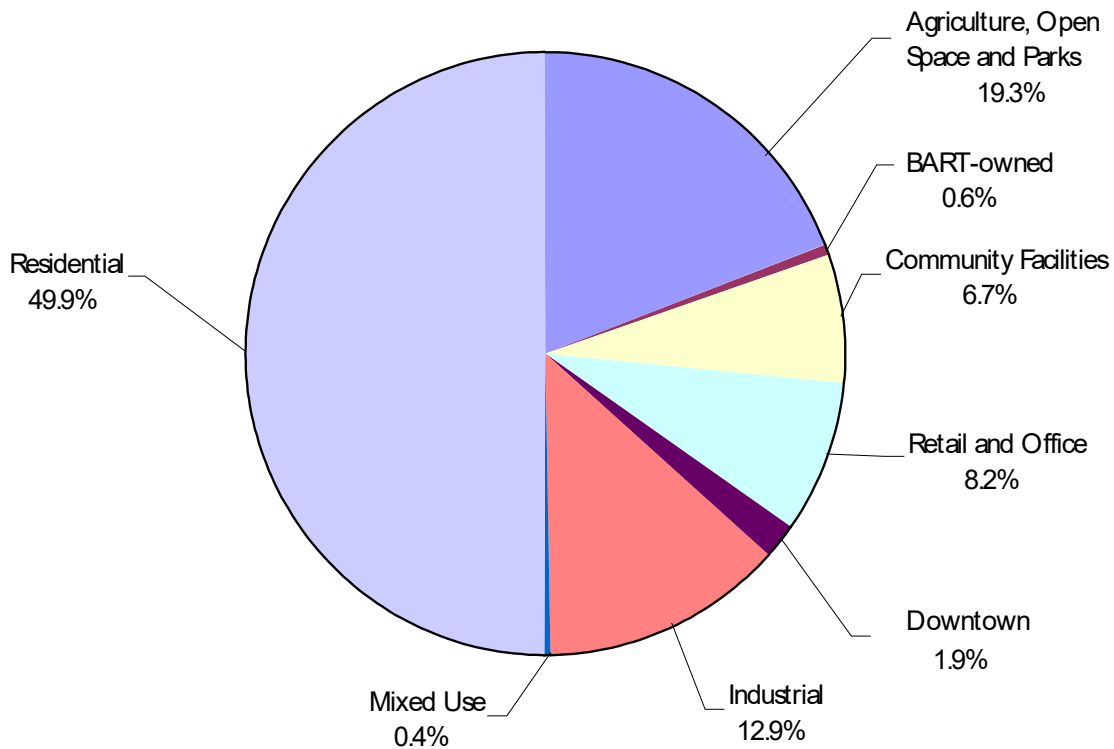
Jobs/housing balance is a measure of the number of jobs available in a specific area compared to the number of housing units in the same area – or, more precisely, the number of employed residents living in these housing units. As of 2002, Livermore had a fairly healthy jobs/housing balance, with 1.5 jobs for each housing unit, resulting in about one job for every employed resident. However, a more critical tool in assessing the environmental and economic sustainability of a community is its jobs/housing match. Jobs/housing match compares the wages paid by the jobs in an area with the cost of housing in the area. In 2002, Livermore had relatively expensive housing units compared to relatively lower paying jobs; it lacked affordable housing for lower paid workers and higher paying jobs for residents of more expensive housing. The process of matching types of jobs and wages with housing costs is critical to address potential traffic congestion and other growth impacts. The General Plan seeks to attain a jobs/housing balance and match without compromising other commitments.

### ***B. Land Use Designations***

This section provides descriptions of land use designations within the City limits. All new development in the City must conform to these designations. Public and quasi-public uses are not described in this section, but are conditionally allowed in all land use designations. Public and quasi-public uses are typically valued as important to community identity and function.

FIGURE 3-2

**2002 Comparative Acreage of General Plan Land Use Categories**



Public and quasi-public uses include public and private schools; civic, community, and government buildings and uses; fire and police stations; churches; museums; parks; hospitals; and similar essential services. Within the Open Space designation, however, only parks, trails, and similar recreational areas and their related facilities and uses are allowed as public or quasi-public uses. Figure 3-2 shows the comparative acreage of General Plan Land Use Designations within City limits in 2002. Land use designations are mapped on Figure 3-3.

**Residential Development**

Thirteen levels of residential development are shown on the General Plan Map to accommodate different densities and housing styles. Each residential density is expressed in terms of a number of dwelling units per acre, where “acre” refers to gross acres including all the

land within the boundaries of the property. Gross acre may include all or a portion of adjacent street frontage, which is the area between the street right-of-way boundary and the mid-line of the adjacent fronting streets (except freeways or highways). Properties with more than one street frontage may only use the longest street frontage for purposes of calculating residential density. Where appropriate, residential density calculations may be based on a designation-wide/district-wide basis. The gross acre does not include any of the following: (1) land that is to be purchased by a public agency; (2) land required for parkland dedication; or (3) land proposed for non-residential uses. The number of residential units permitted on each parcel or in each project shall be calculated by rounding down to the nearest whole number when the number of units permitted on a lot is less than the next whole number. (Reso. 2005-178; Reso. 2006-245)

#### Land Use Designations

*Rural Residential (RR)* (1 du/ac - 1 du/5 ac; Minimum lot size - 1 acre.)

The Rural Residential designation encourages large lot development with a rural character, generally on the urban edge. This designation provides a transition between developed areas and the agricultural and open areas surrounding the community.

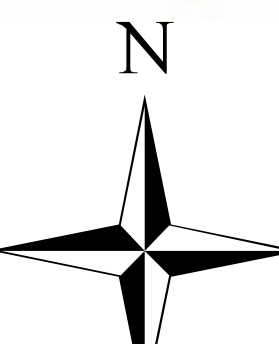
*Urban Low Residential (UL)* (UL-1: 1 - 1.5 du/ac; UL-2: 1.5 - 2.0 du/ac)

Areas designated as Urban Low Residential may be either rural in character or may be developed at a higher density with compensable open space utilizing clustering of development.

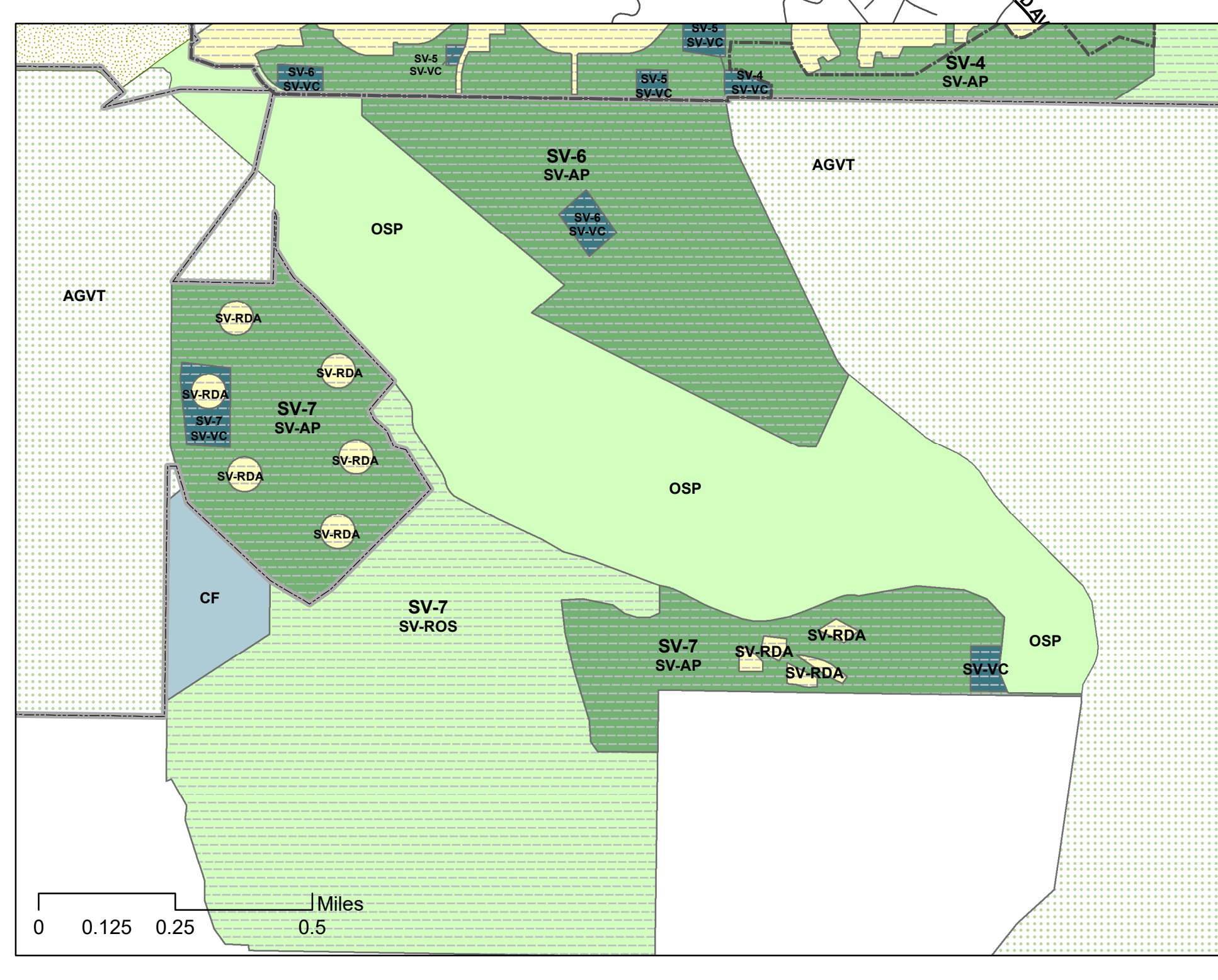
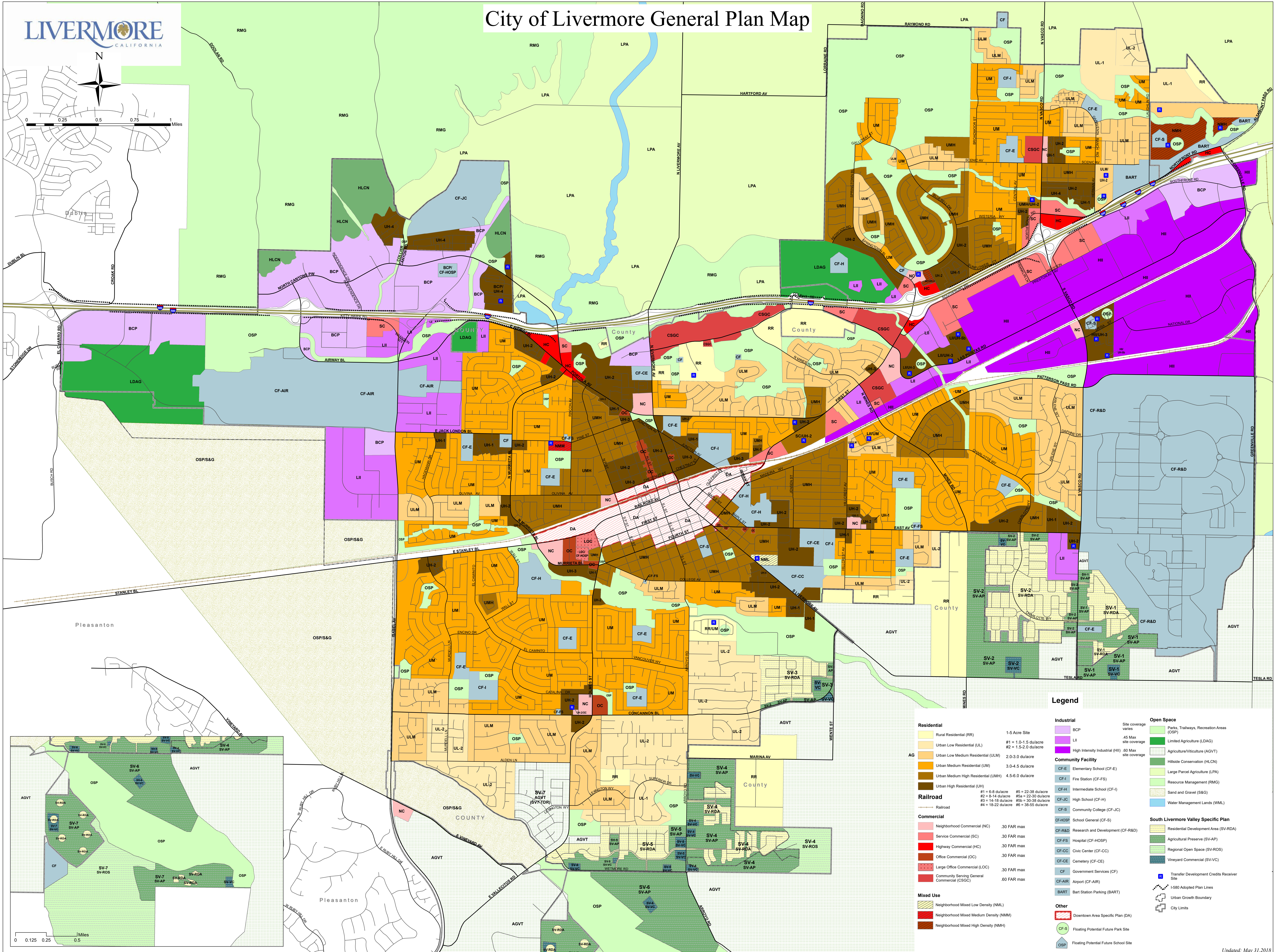
*Urban Low Medium Residential (ULM)* (2.0 - 3.0 du/ac)

The Urban Low Medium Residential designation applies to a significant portion of the City used for residential purposes, as identified on the General Plan Map. These areas provide a transition from lower densities at the edges of town to the higher densities in the center of the community.

# City of Livermore General Plan Map



0 0.25 0.5 0.75 1 Miles



0 0.125 0.25 0.5 Miles

## Legend

- |  |   |   |   |
|--|---|---|---|
| <p><b>Residential</b></p> <ul style="list-style-type: none"> <li>Rural Residential (RR)</li> <li>Urban Low Residential (UL)</li> <li>Urban Low Medium Residential (ULM)</li> <li>Urban Medium Residential (UM)</li> <li>Urban Medium High Residential (UMH)</li> <li>Urban High Residential (UH)</li> </ul> <p><b>AG</b></p> <ul style="list-style-type: none"> <li>Neighborhood Commercial (NC)</li> <li>Service Commercial (SC)</li> <li>Highway Commercial (HC)</li> <li>Office Commercial (OC)</li> <li>Large Office Commercial (LOC)</li> <li>Community Serving General Commercial (CSGC)</li> </ul> <p><b>Mixed Use</b></p> <ul style="list-style-type: none"> <li>Neighborhood Mixed Low Density (NML)</li> <li>Neighborhood Mixed Medium Density (NMM)</li> <li>Neighborhood Mixed High Density (NMH)</li> </ul> | <p>1-5 Acre Site</p> <ul style="list-style-type: none"> <li>#1 = 1.0-1.5 du/acre</li> <li>#2 = 1.5-2.0 du/acre</li> </ul> <p>2.0-3.0 du/acre</p> <p>3.0-4.5 du/acre</p> <p>4.5-6.0 du/acre</p> <p>#1 = 6-8 du/acre #5 = 22-38 du/acre</p> <p>#2 = 8-14 du/acre #5a = 22-30 du/acre</p> <p>#3 = 14-18 du/acre #5b = 30-38 du/acre</p> <p>#4 = 19-22 du/acre #6 = 38-55 du/acre</p> <p>.30 FAR max</p> <p>.30 FAR max</p> <p>.30 FAR max</p> <p>.30 FAR max</p> <p>.30 FAR max</p> <p>.60 FAR max</p> | <p><b>Industrial</b></p> <ul style="list-style-type: none"> <li>BCP</li> <li>LII</li> <li>High Intensity Industrial (HII)</li> </ul> <p><b>Community Facility</b></p> <ul style="list-style-type: none"> <li>Elementary School (CF-E)</li> <li>Fire Station (CF-FS)</li> <li>Intermediate School (CF-I)</li> <li>High School (CF-H)</li> <li>Community College (CF-CJ)</li> <li>School General (CF-S)</li> <li>Research and Development (CF-R&amp;D)</li> <li>Hospital (CF-HOSP)</li> <li>Civic Center (CF-CC)</li> <li>Cemetery (CF-CE)</li> <li>Government Services (CF)</li> <li>Airport (CF-AIR)</li> <li>Bart Station Parking (BART)</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>Floating Potential Future Park Site</li> <li>Floating Potential Future School Site</li> </ul> | <p><b>Open Space</b></p> <ul style="list-style-type: none"> <li>Parks, Trails, Recreation Areas (OSP)</li> <li>Limited Agriculture (LDAG)</li> <li>Agriculture/Viticulture (AGVT)</li> <li>Hillside Conservation (HLCN)</li> <li>Large Parcel Agriculture (LPA)</li> <li>Resource Management (RMG)</li> <li>Sand and Gravel (S&amp;G)</li> <li>Water Management Lands (WML)</li> </ul> <p><b>South Livermore Valley Specific Plan</b></p> <ul style="list-style-type: none"> <li>Residential Development Area (SV-RDA)</li> <li>Agricultural Preserve (SV-AP)</li> <li>Regional Open Space (SV-ROS)</li> <li>Vineyard Commercial (SV-V)</li> </ul> <p>Site coverage varies</p> <p>45 Max site coverage</p> <p>60 Max site coverage</p> <p>Transfer Development Credits Receiver Site</p> <p>1580 Adopted Plan Lines</p> <p>Urban Growth Boundary</p> <p>City Limits</p> |
|--|---|---|---|

*Urban Medium Residential (UM)* (3.0 - 4.5 du/ac)

The Urban Medium Residential designation also applies to a significant area used for residential land uses. These areas are generally located closer to the center of the community and in areas surrounding commercial development.

*Urban Medium High Residential (UMH)* (4.5 - 6.0 du/ac)

This designation accommodates a higher-density development than Urban Low Medium and Urban Medium designations. This designation encourages the use of “clustering” residential development patterns to ensure the reservation of urban open spaces.

*Urban High Residential (UH)* (Categories 1-6)

These designations accommodate the highest range of residential densities in the City. They provide attached housing types such as townhouses, garden apartments, and apartments.

*Category 1 (UH-1):* (6 - 8 du/ac)

Category 1 of this designation is allowed in the central and outlying areas within the City. Both attached and detached units are possible under this designation.

*Category 2 (UH-2):* (8 - 14 du/ac)

Category 2 of this designation is allowed in the central and outlying areas within the City. Townhouses and duplexes are typical under this designation.

*Category 3 (UH-3):* (14 - 18 du/ac)

Category 3 is located in areas near major roads with adequate infrastructure, public services, and amenities to support higher densities. This category is intended to provide housing opportunities for all income groups in the community, including affordable housing. Townhouses and garden apartments are typical under this designation.

*Category 4 (UH-4):* (18 - 22 du/ac)

Category 4 is located in areas near major roads, with adequate infrastructure, public services and amenities to support higher densities. This category is intended to provide housing opportunities for all income groups in the community. Townhouses and apartments are typical under this designation.

*Category 5 (UH-5):* (22 - 38 du/ac)

Category 5 is located in areas in or adjacent to Transit Oriented Development (TOD), near major roads with adequate infrastructure, public services, and amenities to support higher densities. This category is intended to provide housing opportunities for all income groups in the community, including affordable housing. Primarily apartments, condominiums, and townhouses are typical under this designation. To allow flexibility in applying the density range, this category is further divided into UH-5a, which allows 22 – 30 du/acre and UH-5b, which allows 30 – 38 du/acre (Reso. 2013-153).

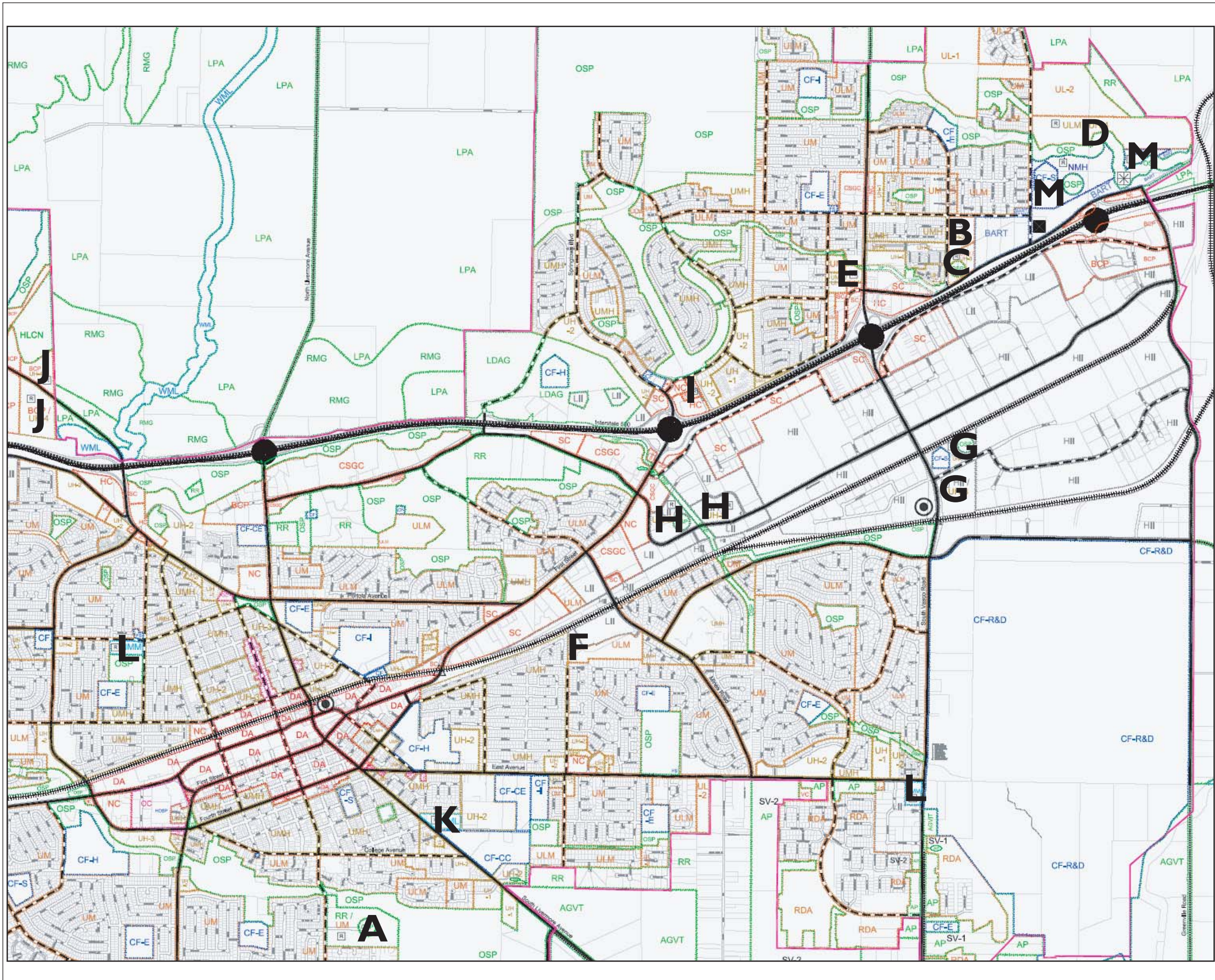
*Category 6 (UH-6):* (38 - 55 du/ac)

Category 6 is located in areas in or adjacent to Transit Oriented Development (TOD), near major roads with adequate infrastructure, public services, and amenities to support higher densities. This category is intended to provide housing opportunities for all income groups in the community, including affordable housing. Primarily apartments, condominiums, and townhouses are typical under this designation.

*Transferable Development Credit (TDC) Receiving Site Designations*

The residential categories listed above apply when the designation of a parcel is not subject to the Transferable Development Credits (TDC) Program provisions. Parcels shall be subject to TDC Program provisions when the 2003 General Plan or any subsequent general plan amendments result in new residential land use designations or an increase in residential density. Where a parcel is subject to TDC requirements, the land use designation shall incorporate the following provisions. These provisions implement the *North Livermore Urban Growth Boundary Initiative's* requirement to provide a use for credits granted for the preservation of land in North Livermore. In specific plan areas, the specific plan itself states TDC requirements, if any apply.

FIGURE 3-4  
TDC RECEIVER SITES



TDC Designations

|          |          |
|----------|----------|
| <b>A</b> | RR/UM    |
| <b>B</b> | ULM/UH-2 |
| <b>C</b> | ULM/UH-3 |
| <b>D</b> | UMH/UH-4 |
| <b>E</b> | UMH/UH-2 |
| <b>F</b> | LII/ULM  |
| <b>G</b> | HII-UH-3 |
| <b>H</b> | LII-UH-3 |
| <b>I</b> | NC/UH-4  |
| <b>J</b> | BCP/UH-4 |
| <b>K</b> | NML      |
| <b>L</b> | NMM      |
| <b>M</b> | NMH      |

Each residential designation subject to the TDC provisions contains a baseline density achievable without the need to comply with the City's TDC Ordinance through the acquisition of transferable development credits (TDCs) or payment of an in-lieu fee if one is adopted. This baseline density is equal to the maximum density allowed without the use of TDCs. The baseline density shall be equal to the maximum density allowed prior to the adoption of the 2003 General Plan or any subsequent general plan amendments that result in new residential land use designations or an increase in residential density. Applicants who wish to exceed this baseline density must comply with the City's TDC Ordinance by purchasing TDCs or paying an in-lieu fee, if one is adopted. Under the TDC option, total development shall not exceed the maximum density allowed under the General Plan designation.

For projects that incorporate affordable or other types of special housing as defined by the TDC Ordinance and/or utilize designated State, county, or City incentive density bonus programs, the City Council may waive some or all of the TDC requirement and/or increase the baseline density.

To promote awareness of these TDC provisions, the General Plan Land Use Map shall identify TDC receiving areas by means of a two-part classification. The first part of the classification indicates baseline or maximum density allowed when developers choose not to use the TDC option. The second part of the classification states the maximum density allowed when developers choose to exceed the baseline density and comply with the requirements of the City's TDC Ordinance. The following list identifies the TDC receiving area classifications. The letters preceding each classification correspond to Figure 3-4 (*TDC Receiving Areas*) indicating the location of these TDC receiving areas.

*Type A – Rural Residential/Urban Medium Residential (RR/UM)*

Baseline of 1 du/ac – 1 du/5 ac (the maximum density when developers decline to use TDC option) or a maximum of 3 du/ac – 4.5 du/ac maximum when developers choose to exceed the baseline and comply with City's TDC Ordinance.

*Type B – Urban Low Medium Residential/Urban High Residential-2 (ULM/UH-2)*

Baseline of 2 du/ac – 3 du/ac (the maximum density when developers decline to use TDC option) or a maximum of 8 – 14 du/ac when developers choose to exceed the baseline and comply with City's TDC Ordinance.

*Type C — Urban Low Medium Residential/Urban High Residential-3 (ULM/UH-3)*

Baseline of 2 du/ac – 3 du/ac (the maximum density when developers decline to use TDC option) or a maximum of 14 – 18 du/ac when developers choose to exceed the baseline and comply with City's TDC Ordinance.

*Type D – Urban Low Medium Residential/Urban High Residential-4 (ULM/UH-4)*

Baseline of 2 du/ac – 3 du/ac (the maximum density when developers decline to use TDC option) or a maximum of 18 – 22 du/ac when developers choose to exceed the baseline and comply with City's TDC Ordinance.

*Type E – Urban Medium High Residential/Urban High Residential-2 (UMH/UH-2)*

Baseline of 4.5 du/ac - 6 du/ac (the maximum density when developers decline to use TDC option) or a maximum of 8 – 14 du/ac when developers choose to exceed the baseline and comply with City's TDC Ordinance.

*Type F – Low Intensity Industrial/Urban Low Medium (LII/ULM)*

Baseline of 0 du/ac (developers who decline to use TDC option choose to use the industrial designation, which allows no residential development). Developers who choose the TDC option and comply with the City's TDC Ordinance can build a maximum residential density of 2 du/ac – 3 du/ac.

*Type G – High Intensity Industrial/Urban High Residential-3 (HII/UH-3)*

Baseline of 0 du/ac (developers who decline to use TDC option choose to use the industrial designation, which allows no residential development). Developers who choose the TDC option and comply with City's TDC Ordinance can build a maximum residential density of 14 – 18 du/ac.

*Type H – Low Intensity Industrial/Urban High Residential-3 (LII/UH-3)*

Baseline of 0 du/ac (developers who decline to use TDC option choose to use the industrial designation, which allows no residential development). Developers who choose the TDC option and comply with City's TDC Ordinance can build a maximum residential density of 14 – 18 du/ac.

*Type I- Neighborhood Commercial/Urban High Residential -3 (NC/UH- 3)*

Baseline of 0 du/ac (developers who decline to use TDC option choose to use the commercial designation, which allows no residential development). Developers who choose the TDC option and comply with City's TDC Ordinance can build a maximum residential density of 14-18 du/ac. (Reso. 2006-246)

*Type J – Business & Commercial Park/Urban High Residential-4 (BCP/UH-4)*

Baseline of 0 du/ac (developers who decline to use TDC option chose to use BCP designation, which allows no residential development). Developers who choose the TDC option and comply with the City's TDC Ordinance can build a maximum residential density of 18 – 22 du/ac.

*Type N – Office Commercial/Urban High Residential-2 (OC/UH-2)*

Baseline of 0 du/ac (developers who decline to use TDC option choose to use the commercial designation, which allows no residential development). Developers who choose the TDC option and comply with the City's TDC Ordinance can build a maximum residential density of 8-14 du/ac. (Reso. 2007-239)

## **Commercial Development**

Five basic commercial use designations are shown on the General Plan Land Use Map in Figure 3-3: Service Commercial, Highway Commercial, Neighborhood Commercial, Community Serving General Commercial, and Office Commercial. Downtown commercial is described in the *Mixed-Use* section, below. Commercial designations encourage a range of conveniently located goods and services that meet the needs of Livermore residents, and also include measures to reduce competition between Downtown and other large retail centers in the City. Allowed building intensity for commercial uses are described by Floor Area Ratio (FAR).

Land Use Designations

*Service Commercial (SC) (.30 FAR)*

Service Commercial uses, which support other activities in the Downtown, include auto sales and service, nurseries, home maintenance centers and wholesale establishments. This designation is applied to areas outside of the Downtown along major streets, in the general vicinity of freeway interchanges, or at other locations with significant access potential from the community at large.

*Highway Commercial (HC) (.30 FAR)*

The Highway Commercial designation is applied to commercial development near I-580 interchanges and is intended to primarily serve the traveling public. Future expansion of highway commercial development shall be limited to the freeway interchange locations that are consistent with visual resource policies. Appropriate uses include hotels and motels, restaurants, and motor vehicle and gasoline service stations. Additional uses include freeway-dependent uses and freeway signs, which provide services to the traveling public and allow for convenient freeway access. Since Highway Commercial areas are also visible from the interstate and function as gateways to the community, the City shall prepare specific development plans for these areas to ensure they are attractive. Freeway uses and signs shall be located within freeway quadrants to provide services to the traveling public while allowing for visibility and convenient freeway access.

*Neighborhood Commercial (NC) (.30 FAR)*

Neighborhood Commercial areas will serve neighborhood convenience shopping needs. Neighborhood Commercial areas are defined as planned commercial centers, with a grocery store and smaller supporting uses, located on a major arterial. Neighborhood Commercial areas shall be limited to general daily service needs. Examples of uses that serve a daily need are large grocery stores, drug stores, informal restaurants, video stores and personal services such as beauty salons and dry cleaners. Examples of existing Neighborhood Commercial areas in Livermore are Vintner Square (First and P Streets), Arroyo Park (First Street and Las Positas Road), Granada Shopping Center (Concannon Boulevard and Holmes Street), Portola Village (Portola Avenue and North Livermore Avenue), and Peppertree Plaza (Murrieta Avenue and Stanley Boulevard). Neighborhood-serving professional and commercial offic-

es, such as real estate offices, law offices, insurance agencies, or medical offices, are also appropriate.

*Community Serving General Commercial (CSGC) (.30 FAR)*

The Community Serving General Commercial (CSGC) designation provides for commercial uses appropriate to locations outside of the Downtown, in areas with significant access potential from the region and the community at large. The CSGC designation identifies locations along major streets, and adjacent and accessible to a highway or freeway, where any one or combination of significant community serving retail, office, and service activity is appropriate. A broad range of potential commercial uses are appropriate. The precise commercial mix and uses will be identified at the time of zoning or specific project review. In general, the CSGC encourages the location of commercial uses generally consisting of a size, bulk, and coverage found in a regional retail shopping center environment, including:

- ◆ Destination-oriented prime retail tenants and accessory retail uses;
- ◆ Business and commercial services; and
- ◆ Professional and administrative offices.

CSGC areas will be compatible with surrounding land uses, including surrounding commercial activity, and will complement commercial uses within the Downtown. The CSGC will be implemented through the Planned Development (PD) zoning district process utilizing market research, site design, and access to assure that community impacts have been identified and fully ameliorated. The PD Zoning District would identify the appropriate range of land uses and development standards consistent with the intent of the designation to ensure compatibility within the development and with adjacent land uses.

*Office Commercial (OC) (.30 FAR)*

The Office Commercial designation applies to areas throughout the City, and is intended to have minimum to no adverse impacts upon immediate neighborhoods and residential character. Office Commercial areas provide sites for offices for medical, legal, insurance, and similar uses. In order to ensure maximum compatibility with land use development patterns, these areas permit limited, small-scale neighborhood serving retail uses for the convenience of and benefit to the surrounding neighborhood, and medium density residential develop-

ment consistent with the Urban High-3 Residential land use designation (14 to 18 du/acre). Neighborhood serving commercial uses are typically locally-based stores or small scale shops selling various types of merchandise. Larger planned or strip commercial centers with regional or national retailers would not be considered appropriate for this designation. (Reso. 2010-034)

*Large Office Commercial (LOC) (0.60 FAR)*

The Large Office Commercial designation applies to select areas in the City where it is appropriate to have larger office buildings than is envisioned in the Office Commercial designation. These select areas are sufficient in size to buffer single-family residential neighborhoods and other sensitive receptors to avoid adverse impacts on these uses. Large Office Commercial areas provide sites for medical, corporate, multi-tenant, and other office types that are larger in scale, including two or more story buildings, than the office types described in the Office Commercial designation.

**Mixed-Use**

Mixed-use development allows or encourages different but compatible uses to be located in close proximity to each other. A common example of mixed-use is a two- or three-story building with retail or office space on the ground floor and apartments on the upper floors. Mixed-use development provides housing close to jobs and services, thereby reducing the need to drive and encouraging people to walk or bike to their destination. Mixed-use development is also often located around transit services, increasing transit usage and reducing automobile dependency.

*Land Use Designations*

*Downtown Area (DA)*

The Downtown Area (DA) designation is a general designation that applies to the area traditionally known as Downtown Livermore. The DA seeks to provide a unique, locally-oriented, pedestrian-friendly shopping environment. Higher-intensity residential development of a density that will support the predominantly commercial environment is integral to the economic viability of this district. This area encompasses approximately 270 acres and supports a variety of mixed uses, including commercial, office, entertainment, cultural arts, lodging, and residential. Anticipated maximum development potential in the DA analyzed in

the Final Environmental Impact Report (FEIR) prepared and certified in 2003 and the Subsequent FEIR certified in 2009 for the General Plan and Downtown Specific Plan, by land use, is as follows: Commercial – 1,000,000 square feet; Office – 356,000 square feet; Entertainment – 2,500 performance art seats and up to 15 movie theater screens; Lodging – 300 rooms; and Residential – 3,600 units (Reso. 2009-055). Land uses, development, and redevelopment in the Downtown Area shall be implemented through a specific plan. More specific designations, development standards, design requirements, and land use specifications applicable to the Downtown are provided in the Downtown Specific Plan.

The initial maximum residential development potential within the Downtown Area shall be 2,000 new units as of February 2004. After approval of 1,400 new residential units, the City Council shall review the progress of the implementation of the specific plan. The City Council shall consider increasing the maximum number of new dwellings to 3,259 from the February 2004 base number, for a build-out total of 3,600 residential units, unless there is a compelling reason not to implement the build-out scenario analyzed in the FEIR prepared and certified for the 2003 General Plan and Downtown Specific Plan.

#### *Isabel Neighborhood (IN)*

The Isabel Neighborhood (IN) designation applies to the northwest area of the city generally located north and south of I-580 between the Airway Boulevard and Isabel Avenue interchanges. The Isabel Neighborhood Specific Plan (INSP) will guide future development of the area surrounding the future Valley Link station in the I-580 median at Isabel Avenue. Objectives of the INSP include: create a safe, vibrant, complete neighborhood that includes amenities for residents, workers, and students; ensure new development is compatible with existing development and community character; and support transit ridership and citywide goals for increased transportation options, housing choices, and economic vitality. Anticipated maximum development, by land use, is as follows: Office – 1,730,500 square feet; Business Park – 180,390 square feet; Neighborhood Commercial – 167,185 square feet; General Commercial – 296,300 square feet; and Residential – 4,095 units. Land uses and development in the INSP area shall be implemented through INSP, which contains the specific land use designations, development standards, design requirements, and infrastructure improvements applicable to the IN area. (Reso 2020-202; 2020-203).

*Neighborhood Mixed-Use (NM)*

The Neighborhood Mixed-Use designations are intended to help improve the pedestrian orientation of Livermore's neighborhoods by providing neighborhood commercial services within walking distance of existing residents and integrating housing with commercial development on a single site. Neighborhood serving commercial uses are typically locally-based stores or small scale shops selling various types of merchandise, as well as small-scale food service uses such as a local market, deli, or coffee shop. Mixed residential and commercial land uses are required at these sites. Projects developed primarily for residential uses must provide a minimum of 20-percent floor area for commercial uses. Section H (*New Mixed-Use Neighborhoods*) discusses particular requirements for two specific mixed-use planning areas, being the East Side Transitional Areas and the Greenville BART Transit Oriented Development (TOD) Area. (Reso. 2010-034)

Parcels designated Neighborhood Mixed-Use are TDC receiving areas. As with all of the residential receiving areas described above, developers can achieve a baseline density for residential development on land with these classifications without complying with the City's TDC Ordinance. To exceed the baseline density, developers must comply with the TDC Ordinance, but in no event can developments exceed the maximum density allowed by these designations. The letters preceding each classification correspond to Figure 3-4 (*TDC Receiving Sites*) indicating the location of these TDC areas.

*Type K – Neighborhood Mixed-Use Low Density (NML)*

A maximum of .30 FAR is allowed for the commercial portion development on these sites. The residential baseline density is 2 du/ac – 3 du/ac (maximum density when developers decline to use TDC option) or 12 du/ac – 15 du/ac maximum when developers choose to exceed the baseline density and comply with City's TDC Ordinance.

*Type L – Neighborhood Mixed-Use Medium Density (NMM)*

A maximum of .30 FAR is allowed for the commercial portion development on these sites. The residential baseline density is 3 du/ac – 4.5 du/ac (maximum density when developers decline to use TDC option) or 15 du/ac – 24 du/ac maximum when developers choose to exceed the baseline density and comply with City's TDC Ordinance.

*Type M – Neighborhood Mixed-Use High Density (NMH)*

A maximum of .30 FAR is allowed for the commercial portion development on these sites. The residential baseline is 6 du/ac – 8 du/ac (maximum density when developers decline to use TDC option) or 24 du/ac – 38 du/ac maximum when developers choose to exceed baseline and comply with City's TDC Ordinance.

## **Industrial Development**

Industrial designations are applied to certain areas of the City where existing industrial use occurs or where industry can be isolated or buffered from residential uses. The three industrial designations included on the General Plan Land Use Map are Business and Commercial Park, High Intensity Industrial, and Low Intensity Industrial. Many of the areas designated for industrial uses are located near the Airport and freeway interchange approaches to the City. Therefore, quality site planning and design standards should be carefully applied in order to maintain an attractive image of the City.

### Land Use Designations

*Business and Commercial Park (BCP)* (Site coverage provided by use)

This designation identifies locations along major streets, and in the general vicinity of freeway interchanges, where a mix of limited service and highway commercial, community/regional commercial retail, office and light industrial activities may be appropriate. The BCP designation encourages the development of employment-generating activities adjacent to destination-oriented and limited retail commercial uses. In addition to office and light industrial activities, uses could include large, planned commercial centers or stand-alone big-box retailers with service uses of a scale and function to serve both surrounding employment-generating activities and the regional market.

The BCP designation is placed on areas of a minimum of 20 acres where it will promote the location of:

- ◆ Community/regional commercial uses that, due to their size and land requirements, have specialized locational criteria, including:

- Large, destination-oriented retail commercial uses (e.g. factory outlet centers, warehouse wholesale/retail stores) (Maximum site coverage - .30)
- Large commercial service uses (e.g. home improvement centers, furnishings and appliance stores, automobile and recreational vehicles sales) (Maximum site coverage - .30)
- ◆ Professional and administrative offices (Maximum site coverage - .40)
- ◆ Highway-oriented commercial uses where appropriate (e.g. hotel/motel, convention center) (Maximum site coverage - .40)
- ◆ Support and ancillary services (e.g. restaurants, service stations) (Maximum site coverage - .50)
- ◆ Low Intensity Industrial uses compatible with the above uses. (Maximum site coverage - .45)

*Low-Intensity Industrial (LII)* (Maximum site coverage - .45)

Appropriate uses for this designation include manufacturing, warehousing, research and development facilities, fully-enclosed recycling facilities, and administrative and professional offices. Unlike uses within the High-Intensity Industrial designation, light industrial uses should not include objectionable levels of noise, vibration, odors, glare, or hazard that would create a nuisance for surrounding uses. Low-intensity industrial uses are focused around the Municipal Airport. Low-intensity industrial uses are also located within the area east of the Airport runway but may not violate the “clear zone” restrictions, or impact existing residential areas.

*High-Intensity Industrial (HII)* (Maximum site coverage - .60)

Appropriate uses for this designation include manufacturing, warehousing, research and development facilities, recycling facilities, and heavy industry that uses, stores, or processes raw materials. The High-Intensity Industrial designation is intended to provide an insulated area for uses that may be objectionable in other areas due to noise, odors, vibration, glare or hazards. High-intensity industrial uses are concentrated between Patterson Pass Road and I-580, generally between Mines Road and Greenville Road.

## **Open Space and Agriculture**

Open Space and Agriculture designations are applied primarily to outlying areas of the City, creating a “greenbelt” around the City and preserving Livermore’s agriculture and scenic vistas. There are eight Open Space and Agriculture designations, reflecting various levels of use and resource protection.

### Land Use Designations

#### *Open Space (OSP)*

The Open Space designation is applied to areas to be maintained as permanent or semi-permanent open space. This designation may be applied to areas that are already open space, and those that should remain open space because they have valuable natural or scenic resources, or because they are unsuitable for development due to environmental hazards. This designation includes parks, trailways, recreation areas, recreation corridors, and protected areas, such as creeks and arroyos, or similar open space uses determined appropriate for the site. All proposed structures on parcels designated OSP are subject to City Design Review. General locations for potential future park facilities are indicated on the General Plan Land Use Map by a floating designation as a circular symbol and the text “OSP.” Floating designations indicate the need for the facility within the general area of the City where future need for this facility is anticipated. Floating designations are not intended to be site specific.

#### *Agriculture/Viticulture (AGVT) (100-acre site minimum; 1 du/100 ac)*

Agriculture/Viticulture areas have been designated to preserve and promote agriculture and viticulture uses in locations suitable for cultivated agriculture, and to protect sensitive or unique environmental and land characteristics, including an area’s rural character. Additional discussion on the AGVT designation is provided in Land Use Element Section F, *Allowed Development in South Livermore Valley*, including provisions for a Rural Density Program.

*Limited Agriculture (LDAG) (20-acre minimum site)*

The Limited Agriculture designation applies to those areas where 20-acre parcels may be appropriate due to existing parcel size. Appropriate uses are similar to those in the Agriculture/Viticulture designation. This designation may be used to create a transition between the areas of Large Parcel Agriculture or Agriculture/Viticulture surrounding the City and the low-density residential areas on its outskirts.

*Hillside Conservation (HLCN) (1 du/20 ac to 1 du/100 ac)*

The intent of this designation is to protect the natural resources of hillside areas, avoid development in areas with potentially hazardous hillside conditions, maintain the visual quality of hills and ridgelines, create a public trail system, and retain the existing rural character and small-scale agriculture of the area. This designation establishes a series of performance standards for determining density, based on physical and environmental features such as slope gradient, ridgelines, and existing and potential landslides. Relatively unconstrained sites, those with slopes below 20 percent gradient, will be permitted up to 1 dwelling unit per 20 acres; sites with steeper slopes and additional constraints will be permitted 1 unit per 100 acres. No development is permitted on the steepest slopes or ridgetops. However, these areas may be given a density credit of 1 unit per 100 acres that could be transferred to other portions of the property or within the Hillside Conservation designation when using a specific plan.

*Large Parcel Agriculture (LPA) (100-acre minimum site)*

This is a designation from the Alameda County East County Area Plan (ECAP) that applies to locations outside the City UGB but within the Planning Area. Only the following uses, as identified in the *North Livermore Urban Growth Boundary Initiative*, and their normal and appropriate accessory uses and structures (as well as uses preemptively authorized by federal and State law), may be permitted in North Livermore, including: agricultural uses, agriculture processing facilities, limited agricultural support uses, secondary residential uses, visitor serving commercial facilities, recreational uses, public and quasi public uses, solid waste landfills and related waste management facilities, quarries, wind farms and related facilities, utility corridors, and similar uses compatible with agriculture. This is the default designation for undesignated parcels on the General Plan Land Use Map.

*Resource Management (RMG)* (100-acre minimum site size; 1 du/parcel)

This is also a designation from the ECAP. It is intended mainly for land designated for long-term preservation as open space, but may include low-intensity agricultural or residential uses. The Resource Management designation provides for agricultural uses, recreational uses, habitat protection, watershed management, public and quasi-public uses, secondary residential units, active sand and gravel and other quarries, reclaimed quarry lakes, and similar and compatible uses. This designation is also applied to areas unsuitable for development because of public health and safety hazards or environmentally-sensitive features. One single-family home per parcel is allowed provided that all relevant development standards are met.

*Water Management Lands (WML)* (100-acre minimum site; 1du/parcel)

This designation is also from the ECAP. It provides for active sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos and similar and compatible uses. One single-family home per parcel is allowed provided that all relevant development standards are met.

*Open Space/Sand and Gravel (OSP/S & G)*

These are areas of Statewide concern due to their demonstrated level of quality aggregate. The primary use allowed in areas designated OSP/S & G is open space, as defined above under Open Space (OSP), and sand and gravel extraction, processing and related activities shall be secondary. Use of S & G lands for agricultural use shall be given priority over mineral extraction in areas where the soils are designated for prime or unique farmland. Extraction of aggregate shall be conditionally permitted only after appropriate mitigation for potential impacts to environmental resources and surrounding uses has been provided. Processing and distribution of aggregate uses shall be limited to ensure that impacts on downwind land uses are appropriately mitigated.

## Community Facilities

The Community Facilities designation provides areas for public agencies and institutions, including City, County, State and federal government facilities, Livermore Valley Joint Unified School District property, and the Livermore Municipal Airport. General locations for potential community facilities (i.e., schools and parks) are indicated on the General Plan Land Use Map by a floating designation; parks are indicated by a circular symbol and the text “OSP,” and schools are indicated by a building-shaped symbol and the text “CF-S” or “CF-H.” Floating designations indicate the need for the facility within the general area of the City where future need for these facilities is anticipated. Floating designations are not intended to be site specific. Community Facility designations identify areas for the following specific public uses:

### Land Use Designations

*CF-Elementary School (CF-E)*

*CF-Intermediate School (CF-I)*

*CF-High School (CF-H)*

*CF-Community College (CF-JC)*

*CF-Fire Station (FS)*

*CF-Civic Center (CF-CC)*

*CF-Cemetery (CF-CE)*

*CF-Government Services (CF)*

*CF-Airport (CF-AIR)*

*CF-Post Office (PO)*

*CF-Hospital (HOSP)*

*CF-BART (BART)*

*CF-Government Research and Development (CF-R&D)*

*C. Goals, Objectives, Policies, and Actions*

|                  |   |
|------------------|---|
| <b>Goal LU-1</b> | <b>Protect the unique qualities of Livermore, which include a historic Downtown, a variety of residential neighborhoods, vineyards, ranches, natural habitats and open space.</b> |
|------------------|---|

**Objective LU-1.1** Locate new development so as to create a consolidated pattern of urbanization, maximizing the use of existing public services and facilities.

Policies

- P1. *Except where special conditions warrant, the City shall allow development only on those properties immediately adjacent to established urban areas, in accordance with the North Livermore Urban Growth Boundary Initiative. (NLUGBI)*
- P2. Residential development shall be limited to those areas within the UGB.
- P3. The City shall annex all lands currently under County jurisdiction and within the UGB prior to development in areas designated for urban uses.
- P4. The City shall encourage the use of the planned development concept where possible to decrease construction costs, provide open space, increase the variety of housing types and provide integrated very low-, low-, and moderate-income housing.

Actions

- A1. Maintain a file in the Community Development Department of vacant residential acreage which provides an inventory of land suitable for single-family and multi-family residential development, in accordance with Housing Element goals, programs, and objectives. Maintain maps indicating current zoning as well as public facilities and services to these sites. In addition, identify sites which could be made available through changes in zoning on the General Plan Map.

- A2. Periodically review and, as necessary, update City codes and regulations for consistency with General Plan policy.

**Objective LU-1.2 Create neighborhoods that include a mix of uses and a range of housing types to meet the needs of all residents.**

Policy

- P1. Where possible, neighborhood and community commercial uses shall be integrated with public uses in similar areas as comprehensively designed service centers that include public facilities, day care centers, multi-purpose meeting places, health care facilities, housing for the elderly, transportation centers, and schools.

**Objective LU-1.3 Utilize the transferring of density in order to preserve environmentally and aesthetically sensitive areas.**

Policies

- P1. The density transfer must be based upon a “general public benefit,” such as removing density from a hillside location to a valley location with fewer environmental and aesthetic consequences.
- P2. *The density transfer must involve a “receiving site.” (NLUGBI)*
- P3. *The final density of a receiving site must fall within the designated range of density specified for the site. (NLUGBI)*
- P4. Any transfer must look at the total “public benefit facility” capacity serving the receiving site. That is, there needs to be sufficient infrastructure (roads, water, sewer, storm drainage, etc.) and public services (police, fire, schools, etc.).

**Objective LU-1.4 Encourage commercial development that will support and enhance a vibrant Downtown and serve existing neighborhoods.**

Policies

- P1. The Downtown shall serve as the primary local commercial area and as the City's historic and pedestrian-oriented retail shopping area within the period of the General Plan.
- P2. The City shall encourage a combination of specialty retail, office, entertainment (e.g., movie and performing art theaters), and other retail uses that serve a daily and occasional need in the Downtown. Such uses are those in neighborhood-service retail centers, as well as stores selling specialty goods, quality goods, and quality and specialty restaurants.
- P3. Downtown shopping shall be supplemented by neighborhood shopping centers, consisting of retail convenience and personal service uses. Neighborhood shopping centers should be located so that the "trade area" residents are within relatively easy walking distance. Neighborhood centers should be more than one-mile apart so as not to overlap with adjacent trade areas. Regional and community serving uses are to be located in areas designated as Business and Commercial Park or Community Serving General Commercial.
- P4. Neighborhood-serving retail centers shall be limited to general use daily service needs, such as grocery stores, informal restaurants, drug stores, salons, and dry cleaners. Neighborhood-serving retail centers are defined as planned commercial centers with a grocery store and smaller supporting uses located on a major arterial.
- P5. Before new development is allowed in designated Neighborhood Commercial areas, a planned development shall be developed for each such area showing circulation and land use in the interest of safety, convenience, and maximum benefit for tenant and shopper alike. This process shall be done in cooperation with the property owners and tenants of each area. The planned development will establish a basic framework for circulation, land use, building, signage, and landscaping that will permit orderly growth as the service area of each center expands.

- P6. Regional and community serving retail centers shall be limited only to retail uses that are regional-serving, e.g., big box retailers and other large national retailers. Regional centers are defined as large, planned commercial centers or stand-alone big-box retailers with service uses of a scale and function to serve a regional or community-wide market and a location adjacent and accessible to a highway or freeway.
- P7. Highway commercial development adjacent to I-580 shall be limited to areas in close proximity to freeway interchanges.
- P8. The City shall prohibit strip commercial development, whether retail, office, or service commercial, to avoid the following problems:
- (a) traffic congestion resulting from inadequately controlled areas;
  - (b) high public costs of widening and improving major streets in order to accommodate traffic movement;
  - (c) difficulty in containment of such areas;
  - (d) poor aesthetic character where site planning, architectural style, landscaping, and signing are inadequate; and
  - (e) the spread of blight into adjacent neighborhoods.
- P9. The Business and Commercial Park (BCP) designation shall be implemented through the Planned Development (PD) zoning district or the Highway Service Commercial (CHS) zoning district, either of which requires site plan approval. The PD zoning district would identify the appropriate range of land uses consistent with the intent of the designation to ensure compatibility within the development and with adjacent land uses. The CHS zoning district may apply to appropriate locations within each interchange quadrant for freeway dependant uses, which provide an essential highway service to the traveling public. The CHS zoning district restricts freeway signs to freeway dependant uses located within freeway interchange quadrants. Freeway uses should provide services to the traveling public while allowing for visibility and convenient freeway access.

**Objective LU-1.5 Protect the City’s investments in public property and preserve public lands for the use of the whole community.**

Policies

- P1. The City shall protect the public investment in the Las Positas Community College site through policies and land use proposals which will assure compatible use of adjacent properties.
- P2. The City shall not dispose of publicly-owned lands or commit undeveloped publicly-owned lands to long term use unless such actions are consistent with policies and proposals of the General Plan. *The City shall not dispose of or otherwise relinquish easements granted under the North Livermore Urban Growth Boundary Initiative (NLUG-BI).*
- P3. Public lands and buildings which are no longer used or suitable for the functions for which they were originally acquired shall not be considered “surplus” without careful consideration first being given to their potential for other public use, including sites for affordable housing, where appropriate. The availability of public lands shall be viewed as an asset for the long-term benefit of the community which shall not be sacrificed for short-term gain. Leasing shall be considered as an alternative to land sales where their disposition is consistent with the General Plan.
- P4. In connection with LU-1.5.P3 above, the City shall investigate purchasing or leasing surplus State or federal lands for local use prior to giving up its right-of first-refusal. In any event, the City shall study the potential of such lands for non-City local use and advise the appropriate local body of such potential.

**Goal LU-2** *The City recognizes that it has an overriding responsibility to promulgate policies and programs, which will result in the management of*

*growth to best serve the health, safety, and general welfare of its residents. (NLUGBI)*

**Objective LU-2.1 Develop and phase new housing at a rate that can be absorbed by public infrastructure and in a manner that fits within Livermore’s character.**

Policies

- P1. The City shall ensure that the management of community growth will assure that the natural amenities and environmental qualities which are among its greatest assets can be successfully improved, preserved, and enhanced.
- P2. The City shall strive to achieve a balanced relationship between residential development and commercial and industrial development to provide local employment and to realize an adequate tax base.
- P3. Future growth shall not exceed the community’s capability to provide services. School classroom facilities, sewage treatment capacity, treated domestic water, public parks and recreation, and public safety services shall be the principal factors considered.
- P4. The quality and design of residential facilities shall also be an important component of the City’s population growth policies. It shall be the continuing responsibility of the City to monitor these factors to assure compliance with the goals and policies of the Plan.
- P5. The City shall establish a growth range which supports the goals and policies for well-managed growth. The Planning Commission shall develop general policy recommendations, and the Growth Review Committee, appointed by the City Council, shall develop growth range recommendations for well-managed growth. Recommendations shall take into consideration the following factors:
  - (a) State and federal policies and standards relating to the environment, including air quality;

- (b) The need for the City to accommodate a reasonable share of regional population growth with regards to Association of Bay Area Governments (ABAG) population projections;
  - (c) Energy conservation;
  - (d) Historical growth patterns relative to the Bay Area and Alameda County;
  - (e) The need to encourage infill development in the City;
  - (f) The need to provide very-low and low-income housing consistent with ABAG's housing needs determination;
  - (g) The need to support viable local employment and commerce opportunities;
  - (h) The need for well-designed, high quality housing;
  - (i) The need to ensure that public facilities and services can adequately support future growth; and
  - (j) The desirability of providing a jobs/housing balance, as well as a jobs/housing match.
- P6. It shall be the residential growth policy of the City to plan for an average residential population growth fixed range between 140 and 700 dwelling units annually (based on 0.5 to 2.5 percent of 2002 housing units). The computation of the growth range shall not include small projects of four (4) units or less, which are exempt from growth management. The City may guarantee yearly housing allocations through approved specific plans to encourage and support residential development within the specific plan planning area. In this circumstance, the City-wide yearly housing allocations shall not be less than the number of dwelling units guaranteed under approved specific plans. In addition, the City shall grant 100 housing allocations per year for six years (2004 through 2009), 200 housing allocations per year for an additional seven years (2010 through 2016) and 400 housing allocations per year for an additional three years (2017 through 2019) to TDC-retiring projects, as explained in LU-2.1.P15. (Reso 2017-109)
- P7. The targeted growth determination may vary, plus or minus, up to 10 units. In order to exceed the targeted growth determination, a project must meet the following criteria:

- (a) The project receives a “Good” or better in the Housing Implementation Program;
- (b) More than one-half of the units of the project could be accommodated within the targeted growth determination; and
- (c) If needed, the tiebreaker is that the project is in a targeted category in the Housing Implementation Program.

To encourage development of very-low income units, projects that reserve a minimum of 35 percent of the units for very-low income residents shall not be required to participate in the competitive review process. Very-low income projects will be included in the calculation of the City’s annual growth determination.

- P8. To promote the permanent protection and expansion of cultivated agriculture in the South Livermore Valley, bonus parcels created within the City under the Agriculture/Viticulture land use designation, Conditional Urban Overlay District, and Transferred Development Overlay District are not required to participate in the competitive review process. An average of up to 200 units per year will be authorized within the Agriculture/Viticulture, Conditional Urban Overlay District, and Transferred Development Overlay District pursuant to procedures set forth in the Land Use Element Section F, *Allowed Development in South Livermore Valley*, and in the South Livermore Valley Specific Plan for the period beginning January 1, 1998 and ending December 31, 2005. Bonus parcels within the Overlay Districts will be included in the calculation of the City’s annual growth determination.
- P9. To promote development and redevelopment in the Downtown, 200 units per year shall be authorized within the Downtown Area, for a maximum of 2,000 units for the period beginning February 2004 and ending December 31, 2013. For this period of time, Downtown Area units are not required to participate in the competitive review process. Please refer to the Downtown Specific Plan for the implementation details of this policy.

P10. The detailed implementation process of the growth determination shall be adopted by resolution of the City Council and outlined in the program administration pamphlet, but shall include the following general steps:

- (a) Determine a Specific Three-Year Housing Implementation Program: Using the Housing Element of the General Plan as a guide, the City shall develop a Three-Year Housing Plan. In developing the Plan, the City shall consider, among other issues, infrastructure requirements and limitations as they relate to the proposed growth, including but not limited to capacities of the sewer and water and street systems of the City; service requirements including schools, safety and administrative services; environmental impacts and constraints; the very-low and low income housing needs of the City; and the current job growth rate in Livermore.

The program would delineate:

- (1) The type and/or location of residential units targeted for development;
  - (2) Project specific criteria that will be used to evaluate individual projects; and
  - (3) The process and schedule by which the Competitive and Non-Competitive Housing Implementation Program will be undertaken.
- (b) Determine the Specific Yearly Growth Determination for the Three Year Period: Using the total number of dwelling units to be built during the three-year period as determined in LU-2.1.P10(a)(1) above, the annual growth determination shall be determined. This annual growth determination must be within the range of 140 to 700 units, as set by the General Plan.
- (c) Calculation of Yearly Housing Allocation: Determine the yearly housing allocation in the range of 140 to 700 units.
- (1) If during the current three-year Housing Implementation Program, the annual applications for allocations exceed the three-year growth determination, the City Council may allocate up to 150 units per year

from the first two years of the next three-year Housing Implementation Program (Reso. 2005-015).

- (d) Determine Allocation Recipients in a competitive Review Process: Developers shall submit an application consisting of:
- (1) A concept site plan showing street and lot layout, number and types of units, building footprints, etc.
  - (2) Typical elevations of buildings, walls, carports, fences, etc.
  - (3) Plans that show landscaping, usable open spaces and other amenities.

The City will evaluate and rank the applications using the goals of the Three-Year Housing Plan (See LU P7(1)), and the other criteria and standards of the implementation process.

- (e) Award Housing Allocations: Those projects determined eligible to receive allocations will proceed with the normal subdivision, site plan, design review, and other necessary approval processes.
- (f) Exempt Projects: Projects that are exempt from either the competitive process or the growth range are subject to the normal subdivision, site plan, design review, and other necessary approval processes.

P11. When residential growth applications fall below the established growth range of the residential management program, the City shall allocate residential units without a competitive review process. The City will identify procedures in the Housing Implementation Program to be utilized in years when the number of units required are less than those established by this policy. These procedures shall maintain the administrative integrity of the program, but will not attempt to manage the range of growth or implement other growth management objectives.

P12. The unused portion of any year's approved development, if the development is not extended, may only be reallocated for use within the specific three-year HIP cycle. The actual growth determination must meet the goals and policies of the General Plan. The need for growth determination policy and the basis for the determination selected is as follows:

- (a) Managed growth provides the City the ability to more reasonably anticipate the public service and facility needs created by residential development. Managed growth allows the City to more effectively program the timing and funding of needed improvements.
- (b) Livermore is part of a critical air basin. In 1999, the San Francisco Air Basin was designated a non-attainment area for ozone and PM<sub>10</sub> (particulate matter) under both State and federal air quality standards. However, additional housing added in the range of 140 to 700 units annually is not anticipated to create significant air quality problems. In addition, a range of between 140 and 700 units allows housing growth to more closely match job growth in the area which would conceivably reduce vehicle miles traveled, and therefore, not impact air quality as significantly as might be expected.
- (c) In considering what is the community's "fair share" of all types of housing in support of regional growth, it must be noted that population growth estimates prepared by ABAG indicate that, between 2000 and 2020, the San Francisco Bay Area population will increase by 18 percent, Alameda County by 16 percent and Livermore by 28 percent. The City and the Livermore Valley have historically grown at higher percentages than other Bay Area locations.
- (d) In 2002, the City has a relatively close balance between the number of local jobs and employed residents at one job per one and one-half (1:1.59) employed residents. The jobs/employed residents balance can be maintained with a residential growth range between 140 and 700 residential units.
- (e) The in-fill of by-passed and some outlying areas of the City is necessary to complete service systems and improve the overall quality of life in the areas.
- (f) The City has implemented a number of housing programs to support the development and preservation of very-low and low-income housing consistent with the goals of the Housing Element.
- (g) The City has implemented several fiscal programs to support housing programs and other residential development, such as housing impact fees, Redevelopment Agency set-aside funds, and other development impact fees.

- (h) The City has implemented several environmental programs to address the impacts of development including storm drainage and water quality requirements, parkland dedication/in-lieu fees, transportation impact fees and environmental review requirements.

In summary, taking into consideration all the factors for both higher and lower growth determinations, this stated policy satisfies all the goals and other policies of the General Plan.

- P13. All residential growth shall be consistent with the policy that a proposed development must be in the best interest of the community as a whole, considering that our goal is to achieve balance in our community, which shall be understood to mean:
  - (a) A geographical balance of the physical population on the terrain.
  - (b) That the adverse impact of the residential growth on air quality be balanced by factors such as reduced vehicle miles traveled (VMT) because of shopping facility locations and local employment of the residents.
  - (c) That the ratio of the industrial-commercial tax base versus that residential tax base will become more favorable.
  - (d) The need to provide more very-low and low income housing.
  - (e) Compliance with the goals and policies set forth in this plan.
  
- P14. For purposes of growth management, congregate care (with mandatory meal plan), assisted living, and skilled nursing facilities are defined as health care facilities and are not subject to growth management policies. When a mixed-use senior facilities project includes *up to* 30 percent of the project for independent living (residential), the project as a whole is defined as a health care facility. When a mixed-use senior facilities project includes *more than* 30 percent of the project for independent living, the residential portion of the project is subject to growth management policies.

P15. The City shall guarantee 100 housing allocations per year for six years (2004 through 2009), 200 housing allocations per year for seven years (2010 through 2016) and 400 housing allocations per year for an additional three years (2017-2019) to projects that were approved to exceed baseline density in compliance with the City's TDC Ordinance. In addition, these housing allocations shall be granted to applicants who acquire TDCs, or pay in-lieu fees at the rates specified in the TDC Ordinance for projects that exceed the baseline density regardless of whether baseline density is actually exceeded. Unused allocations for TDC-retiring projects may be carried forward beyond 2019. Housing allocations for TDC-retiring projects are reserved for development sites outside of the Downtown Area unless and until all housing allocations reserved for the Downtown have been used. Development in the Downtown Area is exempted from the TDC Program. (Reso 2017-109)

**Goal LU-3 Provide areas for high-density mixed-use development near transit.**

**Objective LU-3.1 Create neighborhoods near transit that include a mix of uses and a range of housing types to meet the needs of all residents.**

Policies

P1. Prior to or concurrent with approval of any development applications, a specific plan shall be prepared and approved for the Isabel Neighborhood Transit Oriented Development (TOD) Area (see Figure 3-8). The specific plan shall provide detailed guidance for project-related land use, provision and financing of public services and facilities, open space preservation (including appropriate setbacks and buffers from adjacent open space areas), visual resources, and recreational amenities, and shall include mitigation measures to reduce the impacts of individual projects on existing neighborhoods and environmental resources. The highest density shall be located nearest to the transit station and shall feather to lower densities as it approaches the existing, surrounding single-family neighborhoods. (Reso 2020-202; 2020-203).

**Goal LU-4 Ensure that new development mitigates significant environmental, design, and infrastructure impacts.**

**Objective LU-4.1 Protect the Municipal Airport from encroachment by incompatible uses.**

Policies

- P1. Impacts to wetland and biological resources shall be calculated on a gross acreage basis and shall include areas of steep slopes, streets, floodways, and parks dedications that could result in losses of wildlife and plant habitat on a parcel.
- P2. The City shall encourage the clustering of development in order to minimize its overall footprint in areas of ecological sensitivity, such as hillsides, alkali springs, creek corridors, and watersheds.

**Objective LU-4.2 Ensure that new development complements its local context and minimizes impacts on the environment.**

Policies

- P1. New development shall be designed to respect and enhance Livermore’s existing development and natural environment.
- P2. The use of “green construction” and land development techniques shall be encouraged as a means to reduce the environmental impacts of construction activity.
- P3. Encourage all additions and new development to follow green building practices for design, construction, and operation and to incorporate as many LEED™ prerequisites and credits as feasible.

Action

- A1. Use the Housing Implementation Program (HIP), design review process, and specific plans to ensure that development meets community concerns for visual quality and environmental sensitivity.

**Objective LU-4.3 Designate appropriate areas for industrial uses in order to prevent negative impacts on the health, safety, and welfare of residents.**

Policies

- P1. Industrial development shall be subject to design principles and performance standards consistent with General Plan policies.
- P2. The City shall reserve large tracts for exclusive industrial use to encourage development of an industrial “community” and prevent encroachment by incompatible uses.
- P3. The City shall reserve sufficient space for industry, recognizing industry's greater land requirements due to new methods of operation.
- P4. The City shall assign high priority for the extension of urban services particularly those where multiple modes of transportation are available.
- P5. The City shall evaluate proposed industrial development in terms of its impact on local employment.
- P6. The City shall encourage the formation of an Industrial Park Foundation for purposes of establishing an industrial park as an added inducement in attracting new industries.

**Objective LU-4.4 Protect the Municipal Airport from encroachment by incompatible uses.**

Policies

- P1. The City shall encourage development of property within the immediate vicinity of the Airport for light industrial and transportation uses to the extent that noise standards and flight clearance requirements are maintained, and environmental impacts are adequately mitigated.

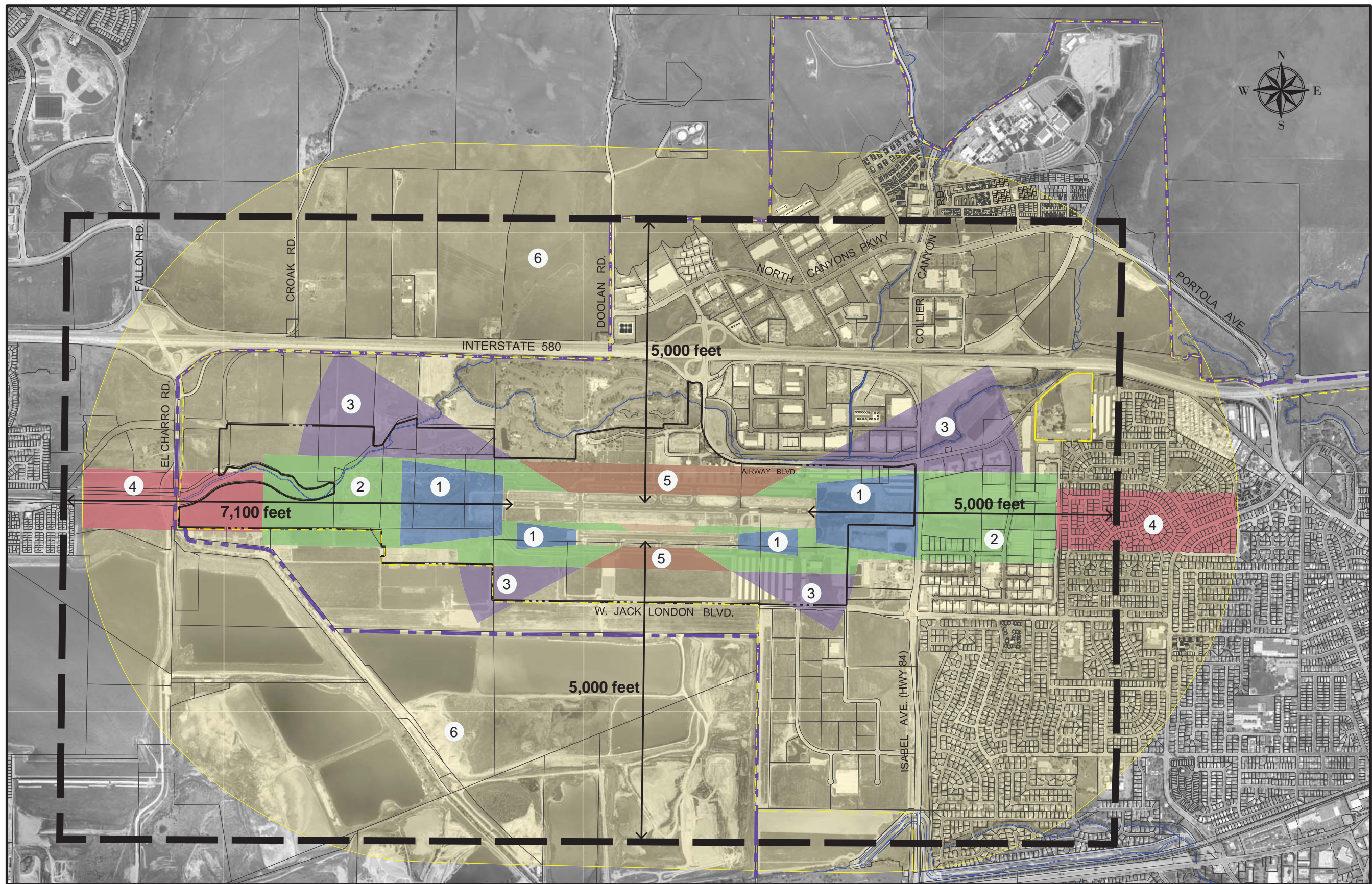
- P2. Development in the Airport Influence Area, depicted in Figure 3-5.1, shall be in conformance with the Livermore Airport Land Use Compatibility Plan (“ALUCP”), dated August 2012. Land uses shall be consistent with this General Plan, the Livermore Development Code, and the Land and Use and Safety Compatibility Criteria contained in Table 2-3 and Table 3-2 of the ALUCP. Existing Land Uses, as defined in Section 2.4 of the ALUCP, are not subject to the policies of the ALUC. ALUCP Section 2.7.5.7 lists other special conditions where ALUC authority may be limited. (Reso. 2013-113)
- P3. The following actions shall be reviewed by the ALUC for determination of consistency with the ALUCP prior to their approval by the City of Livermore.
- a. Adoption of any amendment to the General Plan or a specific plan that proposes new land uses, or increased intensity or density of Existing Land Uses in the Airport Influence Area, as such terms are defined in section 2.4 of the ALUCP. (Reso. 2013-113)
  - b. The adoption or approval of a zoning ordinance which (1) introduces a new land use within the Airport Influence Area not contemplated by an Existing Land Use or increases the intensity or density of, or permitted by, an Existing Land Use, and (2) involves any of the airport-related concerns listed in Section 1.4 of the ALUCP. (Reso. 2013-113)
  - c. Proposed redevelopment of a property within the Airport Influence Area that increases the intensity or density of an Existing Use that is inconsistent with the compatibility criteria set forth in the ALUCP (see Section 2.7.5.7 (a) of the ALUCP for exceptions to this policy). (Reso. 2013-113)
  - d. Per ALUCP section 2.6.2, the City has the discretion to refer development proposals to the ALUC for advisory review if deemed appropriate to ensure land use compatibility with the Airport. (Reso. 2013-113)
- P4. If, after reviewing an action that requires ALUC review, the ALUC determines the action would be inconsistent with the ALUCP, the City Council may overrule

the ALUC's determination by a  $\frac{2}{3}$  vote, after first notifying the ALUC and Caltrans Division of Aeronautics at least 45 days prior to the decision to overrule, and after a public hearing, by making the necessary findings and complying with the other requirements set forth in CPUC sections 21670, 21676, and 21675.6 as may be applicable to the action and determination. (Reso. 2013-113)





- P5. New residential land use designations or the intensification of existing residential land use designations shall be prohibited within the Airport Protection Area (APA), except as permitted in the Isabel Neighborhood Specific Plan overlay, which is shown on Figure 3-5.2. The APA includes the area located within 7,100-feet west of the western end of runway 7L-25R, 5,000- feet north of the northern edge of runway 7L-25R, 5,000-feet east of the eastern end of runway 7L-25R, and 5,000-feet south of the southern edge of runway 7R-25L. (Reso. 2013- 113) New residential development within the Isabel Neighborhood Specific Plan overlay is subject to airport-awareness measures as set forth in the Isabel Neighborhood Specific Plan, its 2018 Environmental Impact Report, and its 2020 Supplemental Environmental Impact Report. (Reso 2020-202; 2020-203).
- P6. Development at the Airport shall be subject to Federal Aviation Administration, Airport Land Use Commission, and City building/structure height restrictions. (Reso. 2013-113)

#### Action

- A1. Pursue the feasibility of acquiring urban development rights or fee title to property within the Airport flight approach areas west of the runways to the City limits to assure the most positive control over development within the "off-airport" flight approach areas.



**AIRPORT SAFETY COMPATIBILITY ZONES**

- |   |                                       |   |                                       |
|---|---------------------------------------|---|---------------------------------------|
|  | PRIMARY SURFACE                       |  | ZONE 4: OUTER APPROACH/DEPARTURE ZONE |
|  | ZONE 1: RUNWAY PROTECTION ZONE        |  | ZONE 5: SIDELINE SAFETY ZONE          |
|  | ZONE 2: INNER APPROACH/DEPARTURE ZONE |  | ZONE 6: TRAFFIC PATTERN ZONE          |
|  | ZONE 3: INNER TURNING ZONE            |   |                                       |

**LEGEND:**




-  LIVERMORE URBAN GROWTH BOUNDARY
-  LIVERMORE CITY BOUNDARY
-  AIRPORT PROTECTION AREA

FIGURE 3-5

**AIRPORT PROTECTION AREA  
AND SAFETY COMPATIBILITY ZONES**

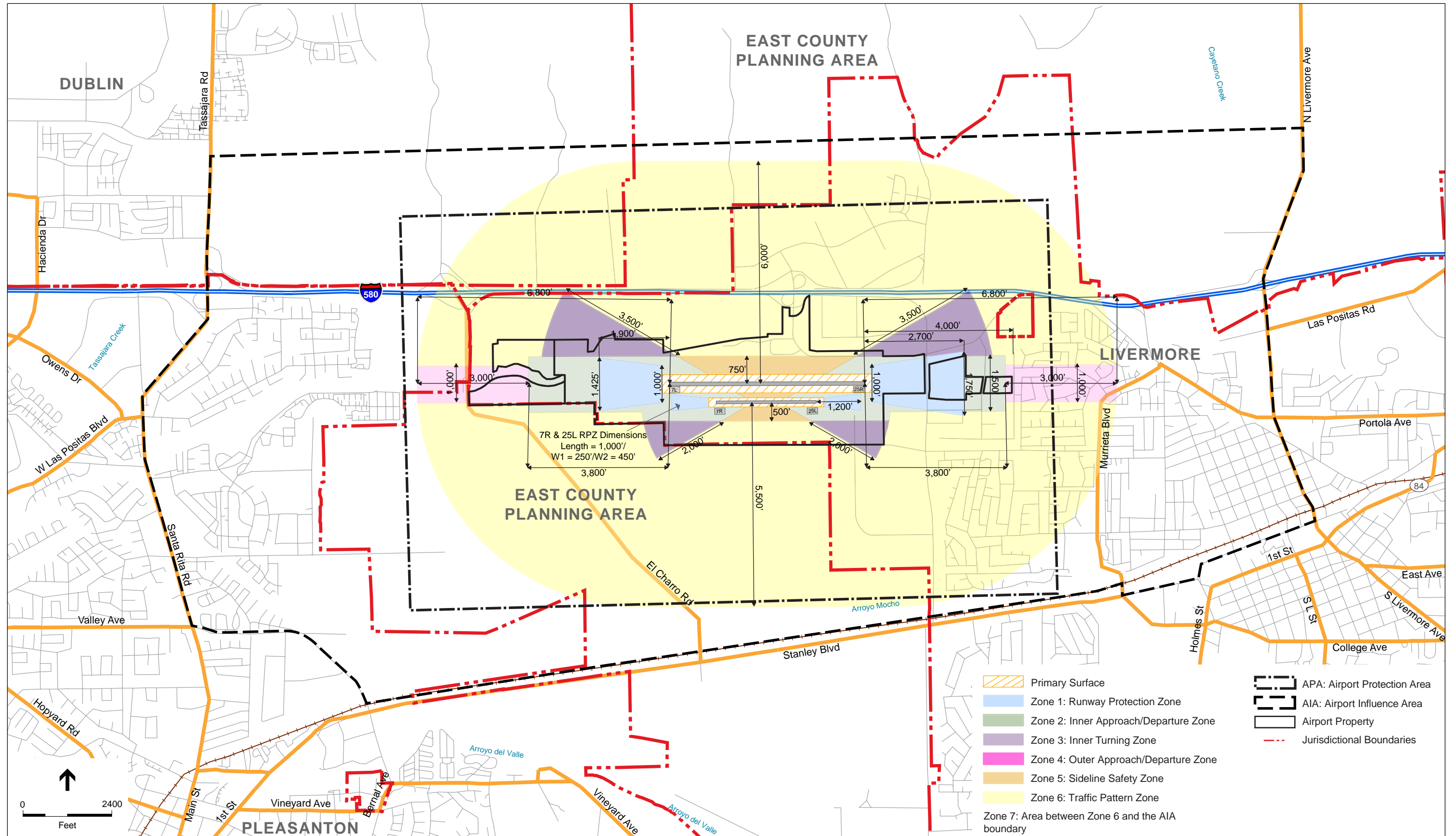


FIGURE 3-5.1

SOURCE: Alameda County ALUC: ESA Airports, ESRI, California Airport Land Use Planning Handbook (Caltrans, 2002)

**SAFETY COMPATIBILITY ZONES  
AND AIRPORT INFLUENCE AREA**

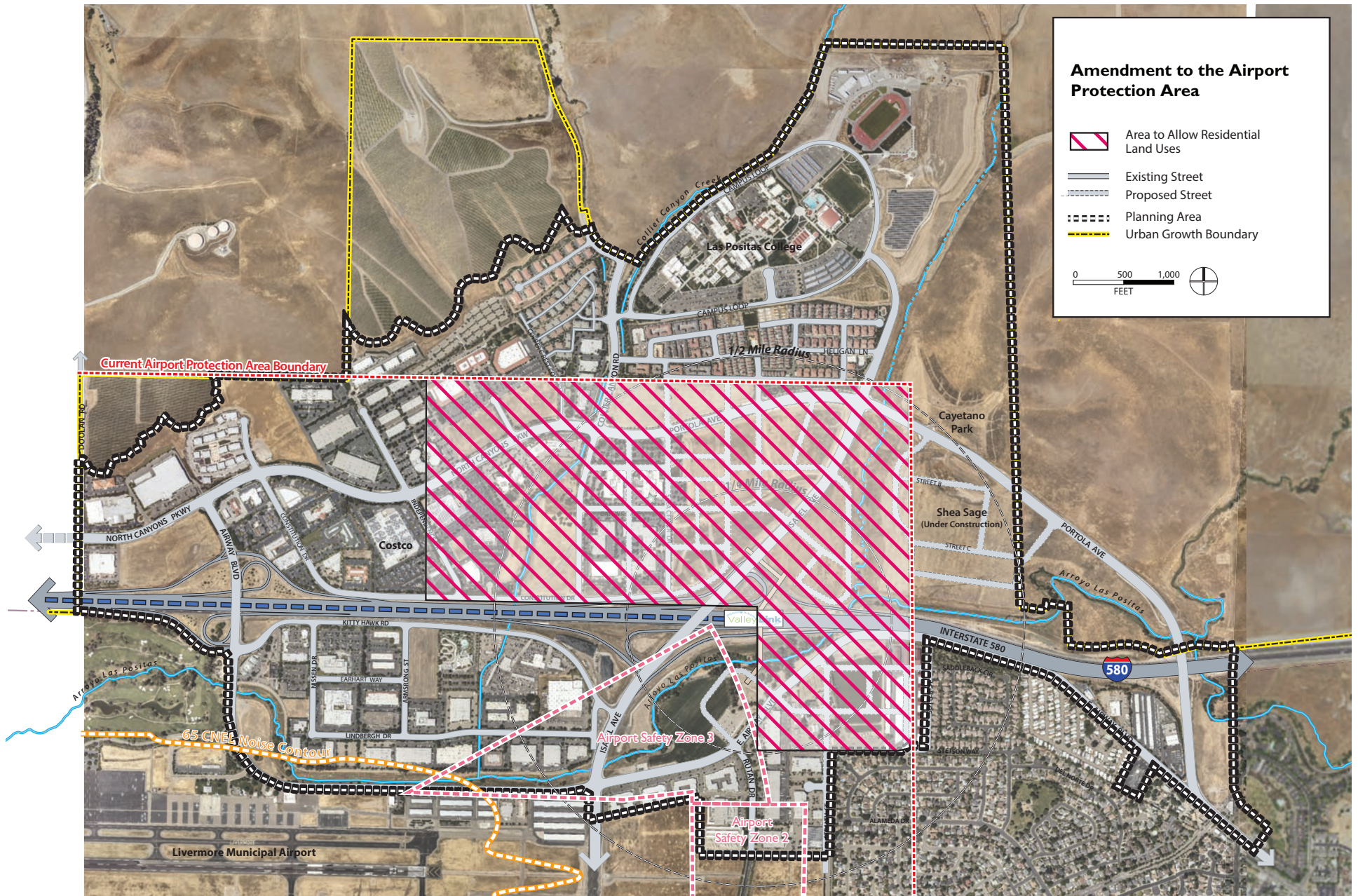


FIGURE 3-5.2

#### *D. North Livermore Goals, Objectives, Policies, and Actions*

The Livermore City Council adopted the *North Livermore Urban Growth Boundary Initiative* on December 16, 2002, after this ordinance had qualified for placement on the ballot. The provisions of this initiative are identified in the following section in *italics*. All text below in *italics* cannot be amended or repealed, unless approved by a majority of the Livermore electorate prior to amendment/alteration of the policy. This section includes Goals, Objectives, Policies, and Actions to implement the provisions of this initiative. Additional sections from this initiative are incorporated through the General Plan, also shown in *italics* and cited either as *North Livermore Urban Growth Boundary Initiative* or *NLUGBI*. Section 21 of the initiative, which includes terms and definitions, is included in the Glossary in Chapter 12.

In policies where the initiative interjected a word or phrase into an existing General Plan policy, only the initiative language is shown in *italics* and is cited with (*NLUGBI*). Only areas outside the Urban Growth Boundary, as identified in this initiative, are subject to the requirements of the initiative. Appendix A includes the *North Livermore Urban Growth Boundary Initiative* in its entirety, as adopted by the Livermore City Council in December 2002. Appendix A also provides a policy citation cross reference to this section (Section D, North Livermore Goals, Objectives, Policies, and Actions) of General Plan policies for each section of the initiative required to be incorporated into the Livermore General Plan. These sections will implement the initiative.

**Goal LU-5** *It is the goal of the City to establish a coherent and logical pattern of urban uses that protects and enhances open space and agricultural uses by providing a clear and permanent boundary for urban uses within the City's Planning Area. The provisions of GOAL LU-5, as readopted by the North Livermore Urban Growth Boundary Initiative shall be amended only by a vote of the people.*

**Objective LU-5.1** Maintain an Urban Growth Boundary to protect open space and agricultural uses in North Livermore.

Policies

- P1. *An Urban Growth Boundary is completed for Livermore. This boundary is the existing South Livermore Urban Growth Boundary (as adopted by the South Livermore Urban Growth Boundary Initiative, approved in March 2000) beginning at Greenville Road, west to its junction at Interstate Highway 580 with the Livermore City Boundary, along the City boundary generally to the east, except where the boundary is south of I-580 the Urban Growth Boundary shall be I-580, to Assessor's Designated Parcel 902-8-5-5, north along the western boundary of that parcel and Designated Parcel 902-8-1 to the northwest corner of Parcel 902-8-1, east along the northern boundary of Parcel 902-8-1 to the Livermore City Boundary, north and generally east along that boundary to Assessor's Designated Parcel 99B-5500-1-10, east along the northern boundary of that parcel and south along the eastern boundary of that parcel to Altamont Pass Road, southwest on that road to Greenville Road, south on Greenville Road to the Livermore City Boundary, generally south along that boundary to Greenville Road, and south to the South Livermore Urban Growth Boundary. The Livermore City Boundary means the City boundary on June 30, 2002.*
- P2. *The Urban Growth Boundary is depicted approximately in Figure 1-2 (and in Appendix A). That map is for purpose of information only; it is not enacted by the NLUGBI. The Boundary delineated by this section is the enacted Urban Growth Boundary.*

**Objective LU-5.2 Carefully regulate land uses in North Livermore.**

Policies

- P1. *Subject to LU-5.2.P3, the provisions of the NLUGBI apply, unless stated otherwise, to areas outside the Urban Growth Boundary north of a straight line extended due east from East Avenue north to the Alameda-Contra Costa County boundary and to North Livermore (as defined in the glossary in Chapter 12, Section C), if these areas are annexed to Livermore.*
- P2. *Except as provided otherwise in the NLUGBI, creation of parcels, development and uses on lands outside the Urban Growth Boundary in the areas described in LU-5.2.P1, if annexed to Livermore, shall be governed by the provisions of the Alameda County East County Area Plan set forth in Appendix 2 of Appendix A that were applicable to the areas on June 30, 2002. References to "the County" or "County" shall then be changed to "the City" or "City."*
- P3. *The NLUGBI does not apply to areas within the Alameda County South Livermore Valley Area Plan or areas to which that Plan is extended under Program 117 of the East County Area Plan (in Appendix 2 of Appendix A), nor does it apply to lands governed by the South Livermore Urban Growth Boundary Initiative. (Relevant provisions of that Initiative are in Appendix 3 of Appendix A.)*
- P4. *Only the following uses, and their normal and appropriate accessory uses and structures, (as well as uses preemptively authorized by Federal and State law) may be permitted in North Livermore, provided that they comply with all the provisions of this Plan:*
- (1) One single family residence per parcel, additional dwelling units to the extent that clustering is permitted on a single parcel under Objective LU-5.3, secondary units required by State law, and farm labor housing necessary for bona fide farm workers employed full-time on the parcel or on a farm or ranch of which the parcel is a part (which in no case may be used as housing for non-farm workers);*
  - (2) agriculture, including horticulture and grazing of ruminants, but not including large or medium size commercial feed lots and pig farms;*

- (3) *packaging, processing, storage or sale of agricultural produce or of plants, a substantial portion of which were grown in the Livermore area, but not canneries and freezing facilities;*
- (4) *rearing, custodianship, training, rental or care of animals, other than ruminants which are not subject to this subsection but are agriculture covered by LU-5.2.P4(2), provided that the use does not cause appreciable environmental harm;*
- (5) *additional commercial uses, limited to the following:*
  - (i) *outdoor recreation and pastimes predominantly for active participants, not spectators; this category of permitted uses does not include, among other things, amusement or theme parks, stadia, and motorized vehicle tracks, courses or off-road facilities;*
  - (ii) *nature observation, study or enjoyment;*
  - (iii) *home occupations and offices, subordinate to residential uses and conducted primarily by residents of a parcel, that will have no deleterious effects on the environment or visual qualities or materially increase traffic in the local area;*
  - (iv) *rental of rooms to lodgers, including with board, not exceeding two units in a residence;*
  - (v) *uses in historic structures, incidental to preserving the structures and their historic qualities and setting, that will have no deleterious effects on the environment or visual qualities;*
  - (vi) *physical and mental convalescence and rehabilitation, chemical dependency treatment, and hospices;*
  - (vii) *veterinary offices or facilities, and repair shops primarily for agriculture;*
  - (viii) *cemeteries, not to exceed twenty acres, provided they are designed to minimize off-site visual impacts from monuments or other structures;*
  - (ix) *accommodations for short-term visitor occupancy and for provision of food and drink (including low-intensity campgrounds and picnic facilities, not to exceed seven acres, but not including recreational vehicle parks), that accord with a rural, agricultural environment;*

- (6) *institutional and other non-profit uses that primarily serve North Livermore residents, facilities for meetings and retreats, or to the extent that like uses by profit-making entities would be permitted under LU-5.2.P4;*
- (7) *City and other government facilities and infrastructure, and public utilities, that are limited to meeting the needs created by permitted uses in North Livermore, except if the City Council reasonably finds more extensive public need that cannot be met outside North Livermore; however, this exception shall not apply to waste disposal or treatment, commercial electrical power generation, or new airports. Publicly provided outdoor recreation and nature observation and enjoyment facilities and ancillary accommodations are permitted whenever like private uses would be allowed.*

**Objective LU-5.3 Encourage clustered development that does not detract from the rural character of North Livermore.**

Policies

- P1. *All buildings on a parcel shall be placed within a contiguous development envelope as compact as reasonably possible, not to exceed two acres, except for buildings for agricultural uses or security needs that must be located outside the envelope, or for government facilities that the Council finds require a more extensive area.*
- P2. *If appropriate under the provisions and objectives of the NLUGBI, the City Council may permit expansion of the development envelope by up to two acres, in aggregate, on parcels of forty acres or more if proven to be necessary for buildings for permitted outdoor recreation; except in North Livermore custodianship, training, care or rental of horses; short-term visitor lodging; farm labor housing; or processing, packaging, storage or sale of produce or plants, a substantial portion of which were grown in the Livermore area; and for ancillary uses including provision of food and drink and meeting facilities.*
- P3. *Clustering may be allowed for permitted development on any two or more parcels, but only if it reduces, overall, visibility of development from public places. Clustered development may be on a single parcel or on newly created separate, contiguous parcels that do not exceed two acres each.*

- P4. *Subject to the exceptions provided in Policies LU-5.3.P1 and LU-5.4.P1, the following cumulative limits apply for buildings on each parcel on which clustering occurs (for this purpose, parcels created under Policy LU-5.3.P3 shall be regarded as part of the parcel from which they were created):*
- (1) if development from two parcels is clustered, a maximum development envelope of three acres and a maximum floor area of 150% of the maximum under LU-5.4.P1;*
  - (2) if development from three parcels, three and one-half acres maximum development envelope and 175% of the maximum floor area under LU-5.4.P1;*
  - (3) if four or more parcels, four acres maximum development envelope and 200% of the maximum floor area under LU-5.4.P1; and*
  - (4) if the parcels clustered contain, cumulatively, 400 acres or more, five acres maximum development envelope and 300% of the maximum floor area under LU-5.4. P1.*
- Any increase in the development envelope under Policy LU-5.3.P2 and the maximum floor area under LU-5.4.P2 may be added to the above maxima, but in no case may the total maximum development envelope exceed four acres except if the parcels clustered contain, cumulatively, more than 400 acres it may be six acres.*
- P5. *If development is transferred from a parcel under this section, then only development for agricultural use under LU-5.2.P4(2) (which does not include dwelling units), and for processing, packaging, storing or sale of produce or plants under LU-5.2.P4(3) may be permitted on that parcel. The development envelope and maximum floor area on the parcel shall be reduced by the parcel's equal share with other parcels from which development is transferred or, if there are no other parcels, by all of the increase in the development envelope and maximum floor area on the parcel where the clustering occurs because of the transfer of development.*
- P6. *Buildings on separate parcels not created under Policy LU-5.3.P3, above, may not be contiguous or in proximity unless (1) the buildings, in aggregate on the separate parcels, have no larger development envelope or more floor area than would be permitted on a single parcel under Policy LU-5.3. P4 or (2) there is no other suitable location on a parcel for the buildings under the NLUGBI.*

**Objective LU-5.4 Establish maximum floor areas for North Livermore.**

Policies

- P1. *The maximum aggregate floor area for all floors (regardless of composition, including soil) in buildings on a parcel may not exceed 1% of the parcel's area or 20,000 square feet, whichever is less; however, for any parcel 10,000 square feet shall be permitted. Floor area does not include basement floors. Greenhouses are subject to a maximum aggregate floor area of 1% or 40,000 square feet, whichever is less. Government facilities are not subject to the aggregate limit to the extent that the City Council finds reasonably that they cannot practicably be located outside North Livermore and that they must exceed the floor area maximum.*
- P2. *If appropriate under the provisions and objectives of the NLUGBI, the City Council may increase the maximum floor area by up to 20,000 square feet, in aggregate, on parcels of forty acres or more if proven to be necessary for permitted outdoor recreation; except in North Livermore custodianship, training, care or rental of horses; short-term visitor lodging; processing, packaging, storage or sale of agricultural produce or plants, a substantial portion of which were grown in the Livermore area; farm worker housing or agricultural uses; and for ancillary uses including provision of food and drink and meeting facilities.*
- P3. *Residential and residential accessory buildings on a parcel may have a maximum aggregate floor area (not including basements) of 8,000 square feet. Farm worker housing is not subject to this limitation. Buildings for short-term lodgings may not exceed 6,000 square feet floor space each and shall be located at least 30 feet apart.*

**Objective LU-5.5 Coordinate land use planning for the area north of I-580 between Livermore and Dublin with Alameda County and the City of Dublin so as to increase certainty over future land uses, to reduce speculation, and to enhance preservation of open space.**

Policy

- P1. Encourage the cooperation of Alameda County, Livermore, and Dublin in coordinating land uses adjacent to the Doolan Canyon-North Livermore area.

**Goal LU-6 Ensure that development minimizes potential visual impacts.**

**Objective LU-6.1 Encourage development that does not detract from the scenic character of North Livermore.**

Policies

- P1. *New or reconfigured parcels, including those resulting from lot line adjustments, must be created or drawn to limit, as much as possible, visibility of development from public roads, parks and other public places. Parcels may not be created that have no building site other than a ridgeline or hilltop or that would cause a building to project into the view of any ridgeline or hilltop from public places, unless there is no other possible configuration.*
- P2. *Structures may not be located on ridgelines or hilltops, or where they will project into the view from public places of a ridgeline or hilltop, unless there is no less obtrusive site on the parcel or a contiguous parcel in common ownership. To the extent practicable, including by deep setbacks from parcel boundaries, structures shall be located on that part of a parcel that minimizes visual impact from public roads and parks.*
- P3. *Development shall be subordinate to and blend harmoniously with the natural and open space qualities of the area where located, so as not to impair those qualities and to be as unobtrusive as possible. In all cases, appropriate landscaping, screening, preservation of vegetation, and building materials, covering, and paint shall be required by the City to reduce as much as practicable the visibility of development. To the maximum extent possible, all exterior lighting must be designed, placed, and shielded to confine rays to the parcel where the lighting is located. Signs shall be no more numerous, larger, or noticeable than is strictly necessary to provide essential information to visitors and shall be compatible with a rural agricultural environment.*
- P4. *The height of buildings may not exceed thirty (30) feet, except if the City Council finds reasonably that a greater height is necessary for agricultural buildings.*

- P5. *The City shall conduct a careful review of uses and of the amount, location, development envelope, floor area, visibility and topographical alteration of all development to ensure consistency with and implementation of the provisions and objectives of the NLUGBI.*

**Goal LU-7 Ensure that alterations to existing topography are minimized.**

**Objective LU-7.1 To allow development that does not create impacts to the existing topography in North Livermore.**

Policy

- P1. *Consistent with the other provisions of LU-6.1.P1 through P4; alteration of topography by grading, excavating, filling or any development activity shall be minimized. Where feasible, access roads shall be located, including by consolidation, where they are least visible from public places.*

**Goal LU-8 Encourage the use of easements to limit development to allowed uses.**

**Objective LU-8.1 To develop easements as a mechanism for ensuring that development is limited to allowed uses.**

Policy

- P1. *The City shall require an easement, running with the land, which bars development that would not be permitted under the NLUGBI for each parcel on which development is permitted, or from which clustered development is transferred. The easement shall be conveyed to the City and, if available, jointly to an independent land trust (that complies with the Land Trust Standards and Practices of the Land Trust Alliance). For purposes of this section, development shall not include structures other than buildings or development permitted under LU-5.2.P4(2) for agriculture (which does not include development under LU-5.2. P4(1), (3) or (4)). The easement shall be negative only; it shall convey no possessory interest to the City or other designee, nor confer any right of public access. The owner retains exclusive occupancy and use. The City has no responsibility or liability because of the easement for acts or omissions on the parcel, except in good faith and effectually to prevent or remedy violations of the easement. Easements shall be duly recorded in the County land records.*

**Goal LU-9 Establish a Transferable Development Credits Program.**

**Objective LU-9.1 To create a mechanism for transferring development credit from North Livermore to other areas of the City.**

Policies

- P1. *The City shall have a Transferable Development Credits Program for North Livermore to aid in accomplishing the purpose of the NLUGBI. Property owners may choose to participate in the Program, even though their property has not been annexed to Livermore. It allows participating owners to share in development values in Livermore, given the special restrictions on land use in North Livermore and the added development in Livermore permitted under the Program.*
- P2. *Transferable Development Credits shall be granted by the City to property owners in North Livermore, by rule in accordance with this section, in number and manner to accomplish the objectives of the NLUGBI. The City Council shall grant credits on the following bases:*
- (1) acreage owned in North Livermore, but not less than one credit for each full five acres*
  - (2) not less than eleven credits for an owner forgoing the right to create an additional parcel under the NLUGBI*
  - (3) not less than ten credits for an owner forgoing the right to any dwelling units on a parcel, which forbearance shall also include the right to any dwelling units on one of the parcels resulting directly or indirectly from any permitted subdivision of that parcel*
  - (4) not less than twelve credits for elimination of existing dwelling units and residential accessory structures on a parcel and for the owner forgoing the right to any dwelling units on that parcel, which forbearance shall also include the right to any dwelling units on one of the parcels resulting directly or indirectly from any permitted subdivision of that parcel.*
- P3. *Duplicate credits may not be granted with respect to the same acreage or right forgone, regardless of changes in ownership. Credits given under the subparagraphs (2), (3), or (4) of LU-9.1.P2 may be relinquished to the City prior to use or initial transfer and, if no gift is intended, the right to create a parcel, to build or rebuild as permitted by the NLUGBI regained and the corresponding easement conveyed under Policy LU-9.1.P7 reconveyed. The Council may differentiate*

- in the number of credits granted, in excess of the minimums guaranteed by the paragraphs (1), (2), (3), and (4) of LU-9.1.P2 among areas of North Livermore to reflect development potential, and among grantees according to their willingness to participate in the program at an earlier rather than later date.*
- P4. *Development credits may be used, as the City Council approves in accordance with the NLUGBI and other City regulations, in areas within the City boundary and the Urban Growth Boundary to build dwelling units and commercial and industrial space, including units and space that otherwise would not be permitted or not permitted until a later time. To accomplish the purpose of the NLUGBI, the Council shall provide for the efficacious use of credits, over a reasonable time period, equal in number to the credits granted. To create an adequate initial demand, the Council shall provide for use of an appropriate number of credits promptly after the effective date of the NLUGBI. With reasonable justification, the Council may permit more development per credit in some receiving areas and for certain types of uses. Credits also may be used in unincorporated areas if approved by the County, in accordance with the East County Area Plan, or in the cities that provide for their use.*
- P5. *Credits may be sold or purchased, or otherwise transferred or received, by any person including the City and other government entities. The City may use funds available for that purpose to buy credits, including a revolving fund replenished by the sale of credits. The City may buy and sell credits to establish and maintain an efficacious market for the credits, or to extinguish them. (Extinction of credits may be part of a more general City program to purchase development rights.)*
- P6. *The City shall establish appropriate means to inform persons about the development credits program and to facilitate transfer of credits from transferors to transferees. The City shall have procedures and requirements to ensure that it has accurate records of development credit grants, transfers, and use.*
- P7. *As a precondition for the grant of development credits under LU-9.1.P2, the owner shall convey an easement, which runs with the land, to the City and, if available, jointly to an independent land trust that meets the standards of LU-8.1.P1. As provided in that policy, the easement shall be negative only. If the credits are granted under LU-9.1.P2(1), the easement shall bar any*

*future land division, development or use not permitted by the NLUGBI on the parcel where the acreage is located. If credits are granted for forgoing the right to create a parcel under LU-9.1.P2(2), the easement shall relinquish that right permanently. If the credits are granted under LU-9.1.P2(3) or LU-9.1.P2(4) for forgoing all dwelling units on a parcel, the easement shall relinquish the right to any dwelling units or any other development on the parcel, or on one of the parcels resulting directly or indirectly from any permitted subdivision of that parcel, except development under LU-5.2.P4(2) for agricultural use and under LU-5.2.P4(3) for packaging, processing, storage or sale of produce or plants. Easements shall be duly recorded in the County land records.*

- P8. *Nothing in this section bars the City from granting development credits for areas other than North Livermore or on bases other than specified in LU-9.1.P2 including for acceptance of recycled water, and permitting their use.*
- P9. All land outside of specific plan areas will be classified as TDC receiving areas as identified and shall include subsequent general plan amendments that result in new residential land use designations or an increase in residential density. TDC receiving sites incorporate a baseline density achievable without the need to comply with the City's TDC Ordinance, by acquisition of transferable development credits (TDCs), or payment of an in-lieu fee, if one is adopted. Applicants who wish to exceed this baseline density must comply with the City's TDC Ordinance by purchasing TDCs or paying an in-lieu fee, if one is adopted. Under the TDC option, the General Plan maximum density still limits the maximum density allowed on the site under the TDC option. The TDC requirements in a specific plan area, if any, shall be set forth in the specific plan for that area.

The TDC Ordinance may require different rates of TDC acquisition for different development products. It may require more TDCs per dwelling unit in excess of baseline density for detached dwelling units than for attached dwelling units.

To promote awareness of these TDC provisions, the General Plan Land Use Map shall identify TDC receiving areas by means of a two-part classification. The first part of the classification indicates the baseline density or maximum density al-

lowed when developers choose not to use the TDC option. The second part of the classification states the maximum density allowed when developers choose to exceed the baseline density and comply with the requirements of the City's TDC Ordinance.

- P10. The City Council and/or agencies authorized by the City Council to implement the TDC Program may concentrate the use of funds under their control to prioritize TDC acquisitions in selected portions of North Livermore in order to achieve the overall goals of the *North Livermore Urban Growth Boundary Initiative (NLUGBI)*.
- P11. The City's TDC Ordinance may include a provision for applicants to comply with TDC requirements by paying an in-lieu fee instead of acquiring actual TDCs. If so, the City should review the TDC fee bi-annually and make needed adjustments based on estimates or appraisals of TDC value, recent TDC transactions, inflation indices, and other relevant information.
- P12. The City shall seek to coordinate with the Tri-Valley Conservancy organization to help in implementing the TDC program. Such assistance could include authorizing the non-profit organization, under City Council direction, to hold and enforce easements, acquire and sell TDCs, market the TDC program, facilitate transactions, seek funding for TDCs, create a registry of interested buyers/sellers, maintain records of transactions, and advise the City of needed program refinements.
- P13. Either directly or through an authorized agency, the City may acquire TDCs using funding from settlement agreements, mitigation agreements, grants, general fund, loans, grants, and other sources appropriate for the acquisition of open space.
- P14. It is consistent with this General Plan that non-residential development also be required to acquire TDCs in the long-term future and thereby contribute to the preservation of North Livermore. Because a market for higher-density non-residential development did not exist in Livermore in 2003, the TDC Ordinance initially adopted by the City did *not* require developers to acquire TDCs so that non-residential structures can exceed a baseline floor-area ratio (FAR). However,

a market may evolve over time for higher intensity non-residential development. If so, the City Council may impose such a requirement on non-residential development in all or part of the City by amending the TDC Ordinance.

**Goal LU-10 Encourage the orderly subdivision of land.**

**Objective LU-10.1 Carefully regulate the subdivision of land within the City limits or subsequently annexed, which is located outside the UGB.**

Policies

- P1. *The minimum parcel size in North Livermore shall be at least 100 full acres, except as provided in LU-10.1.P2 and LU-5.3.P3 through P6 with respect to clustering.*
- P2. *Forty-acre or larger parcels may be permitted by the City for purposes of cultivated agriculture in North Livermore in the area bounded on the north by May School Road extended by a straight line due west to Collier Canyon Road, by Collier Canyon Road, Dagnino Road, and Raymond Road east to the Urban Growth Boundary, if:*
- (1) the City Council does an environmental impact analysis and holds public hearings regarding the creation in that area of the parcels and their use for cultivated agriculture;*
  - (2) the Council finds that there is an adequate, sustainable, safe supply of water for projected irrigated agriculture and other uses on proposed parcels (an adequate and sustainable water supply shall be found if there is a valid contract for the period of agreed cultivation under LU-10.1.P2(6) for necessary water with an irrigation district, water agency, or the City of Livermore);*
  - (3) cultivation and irrigation, as may be conditioned by the Council, will not cause harm to groundwater, soil, biota or other environmental qualities in violation of Federal, State, or City environmental protection standards;*
  - (4) 80% of the parcel has a slope of 20% or less;*
  - (5) parcel boundaries are drawn to maximize productive use for agriculture;*

- (6) *owners contract with the City, and provide a bond or other adequate and effective guarantee, that they will plant within two years of the creation of a parcel and maintain for eight years, or more if the Council deems appropriate, cultivated agriculture on the portion of the parcel that can be cultivated, except for a development envelope not to exceed two acres, or any larger area permitted under LU-5.3.P2, to the extent that there is no other developable land on the parcel; and*
- (7) *owners convey an easement to the City and, if one is available, jointly to an independent land trust that meets the standards of LU-8.1.P1. The easement shall have the characteristics stated in LU-8.1.P1, and shall effectively and permanently bar any development not permitted by this measure. The City may also require a trail easement for purposes of a trail system.*
- P3. *Creation of a parcel or parcels under this subsection may not leave a remainder area which is smaller than the smallest parcel permitted under this section.*
- P4. *The City Council may create forty-acre or larger parcels within Doolan Canyon as part of an agreement with other jurisdictions or property owners for the purpose and with the effect of preserving generally open space in the Canyon.*
- P5. *The City shall not grant certificates of compliance except as required by State law. The City shall impose all restrictive conditions permissible under State law on conditional certificates of compliance, and shall hold the owner or subsequent transferee to strict compliance with these conditions. A certificate of compliance creates no right to develop, nor diminishes in any respect the City's authority to control development.*
- P6. *Apart from the regular subdivision process, the City may not permit lot line adjustments unless the adjusted parcels would comply fully with the General Plan and all City zoning and building ordinances, including minimum parcel sizes, nor permit adjustments between more than four parcels, or as part of a plan or series of adjustments between more than four parcels, except as required by State law.*
- P7. *The acreage of contiguous parcels in common ownership at the time the NLUGBI becomes effective or thereafter that are smaller than the minimum parcel size, although the parcels are*

*not merged by the NLUGBI, shall be treated as though part of one parcel, up to the minimum parcel size, for purposes of permissible development.*

**Goal LU-11 Provide adequate housing within the Urban Growth Boundary.**

**Objective LU-11.1 Strive to provide all future housing within the Urban Growth Boundary.**

Policies

- P1. *Nothing in the NLUGBI, including in this section, shall be applied to preclude City compliance with obligations to provide for housing that are mandated by State law.*
- P2. *To the maximum extent practicable, the City shall meet any State legal requirements within the City's Urban Growth Boundary.*
- P3. *If State requirements make it necessary to go beyond the Urban Growth Boundary to provide for housing, the voters of the City may approve an extension of the Boundary. If necessary, the City Council also may approve housing beyond the Boundary, provided:*
- (1) There is no land within the Boundary to meet a State requirement through new development, more intensive development, or redevelopment;*
  - (2) No more land is used outside the Boundary than is necessary for the housing required by State law;*
  - (3) The area is adjacent to the Boundary, or as near thereto as possible;*
  - (4) There will be adequate public facilities and services for the housing; and*
  - (5) At least 35% of the housing provided shall be for moderate, low and very low income households as defined by State law and at least 20% shall be for low- and very low-income households.*
- P4. *If the City must breach the Urban Growth Boundary, minimum parcel size, residential density limits, maximum development envelopes and floor areas, and height restrictions shall not apply to the extent necessary to confine the breach to the minimum area needed to comply with State legal requirements.*

**Goal LU-12 Ensure that the North Livermore Urban Growth Boundary Initiative is effectively applied and in compliance with the law.**

**Objective LU-12.1 Protect the legal rights of individuals when implementing the North Livermore Urban Growth Boundary Initiative.**

Policies

- P1. *Notwithstanding their literal terms, the provisions of the NLUGBI do not apply to the extent that courts determine that if they were applied they would deprive a person or persons of constitutional or statutory rights or privileges, or otherwise would be inconsistent with the United States or State constitutions or laws. This limitation is to ensure that the provisions do not infringe any person's constitutional or legal rights or violate the law in any way, or subject the City to any legal liability.*
- P2. *To the extent that a provision does not apply because of LU-12.1.P1, the City may permit only that minimum parcel creation, amount, extent, and visibility of development, and use which meets the requirements of law that is most consistent with the provisions and purposes of the NLUGBI and complies with other provisions of the NLUGBI.*

**Objective LU-12.2 Apply the NLUGBI to parcels, development and uses subject to City authorizations and approval.**

Policies

- P1. *The NLUGBI does not affect the validity of parcels, development, and uses to the extent that they legally exist at the time the land where they are located is annexed to the City. However, the City may not permit parcels, development, and uses thereafter to be changed or expanded in ways that are inconsistent with the prohibitions, restrictions or requirements of the ordinance, except as required by State law.*
- P2. *The City shall apply the prohibitions, restrictions and requirements imposed by the NLUGBI to proposed parcels, development and uses that have not received all necessary discretionary City and other government authorizations and approvals prior to annexation to the City, except to the extent precluded by State law.*

**Objective LU-12.3 Avoid inconsistency with City Plans, Ordinances and Actions.**

Policies

- P1. *If there is any inconsistency between a provision of the NLUGBI and another provision of the General Plan, that other provision to the extent that it is inconsistent is superseded and the NLUGBI shall govern.*
- P2. *Any provision of any existing or subsequently adopted specific, area or other plan, that is not part of the General Plan, and of any zoning ordinance or any other ordinance, resolution or policy of the City is nullified to the extent that the provision or its application is inconsistent with the NLUGBI, except as State law mandates otherwise.*
- P3. *No subdivision or parcel map, development agreement, development plan, use permit, variance or other action inconsistent with the prohibitions, restrictions, conditions or requirements of the NLUGBI may be permitted, approved or taken by the City or its officials (including approval or permission by operation of law because of inaction), except as required by State law.*
- P4. *General Plan provisions are not to be deemed inconsistent with and are not superseded by the NLUGBI to the extent that they impose prohibitions, restrictions, conditions or requirements in addition to those imposed by the NLUGBI on the division, development or use of land. In that respect, the NLUGBI shall be deemed to establish only minimum standards, which the City may augment.*

**Objective LU-12.4 Implement and enforce the provisions of the North Livermore Urban Growth Boundary Initiative.**

Policies

- P1. *The City Council and other agencies and officials of the City shall implement and enforce the provisions of the NLUGBI diligently and effectually. They are hereby mandated by the voters of Livermore to use the most effective means at their disposal to prevent, abate and remedy violations.*

- P2. *Residents of Livermore may enforce the NLUGBI by suits for injunctive relief against the City or any person in violation of the NLUGBI or to prevent imminent violations.*

### ***E. South Livermore Goals, Objectives, Policies, and Actions***

South Livermore was subject to major planning efforts in the 1990s. In 1993, Alameda County, in cooperation with the cities of Livermore and Pleasanton, approved the South Livermore Valley Area Plan. The County's Area Plan covers land both inside and outside the Livermore City limits, and provides land use policies aimed at preserving existing vineyards and wineries, enhancing the image of the area as an important wine-producing region, and preserving the area's unique rural, scenic, and historic qualities.

After the County's Area Plan was adopted, the City amended its General Plan to incorporate the relevant policies from the County's Area Plan. The Livermore City Council also initiated the development of the South Livermore Valley Specific Plan (SLVSP) in order to implement the City's responsibilities under the County's Area Plan. The City Council adopted the SLVSP in November 1997. The SLVSP is an extension of this General Plan, and is used as both a policy and a regulatory document to guide the quantity, location and character of development in the South Livermore area. This General Plan contains goals, objectives, policies, actions, and designations that are both consistent with the Alameda County South Livermore Valley Area Plan and provides the regulatory foundation for the City's South Livermore Valley Specific Plan (SLVSP). The land use designations and urban development permitted for South Livermore are discussed in Land Use Element Section F (*Allowed Development in South Livermore Valley*).

Integral to the preservation of South Livermore in the manner planned for in the County's Area Plan and in the SLVSP was the approval of the *South Livermore Urban Growth Boundary Initiative* by the Livermore electorate on March 7, 2000. The provisions of this initiative are identified in the following section in *italics*. All text shown in *italics* under *Goal LU-18* cannot be amended or repealed, unless approved by a majority of the Livermore electorate prior to amendment or alteration.

As of 2002, the majority of the goals, objectives, policies, and actions in this section (Section E) and in Section F (*Allowed Development in South Livermore*) had been implemented. Sections E and F are retained in the 2003 General Plan to provide the contextual framework for the development and preservation of this unique and historically notable part of the community.

**Goal LU-13 Promote the South Livermore Valley as a unique and historic wine region.**

**Objective LU-13.1** Develop additional wineries with a range of sizes, and other wine-country uses that promote the area as a premier wine-producing area.

Policy

- P1. In order to support the development of wineries, the City shall encourage appropriate design, landscaping and signage to establish Greenville Road, between I-580 and East Avenue, Isabel Avenue between I-580 and Vallecitos Road, and roadways between I-680 and Vallecitos Road, via Downtown Pleasanton and Vineyard Avenue, as important “wine region corridors” as development occurs. Retain existing land use designations and policies.

**Goal LU-14 Take a proactive approach to protect, enhance, and increase viticulture and other cultivated agriculture.**

**Objective LU-14.1** *Expand cultivated agricultural, particularly viticultural, use in the South Livermore Valley from the 1993 total of 2,100 acres to the maximum acreage possible, under the Alameda County East County Area Plan (NLUGBI).*

Policies

- P1. Encourage the establishment and permanent protection of existing and new cultivated agriculture through use of agricultural easements, density bonuses, or other means.
- P2. *Establish a framework, consistent with other General Plan goals and objectives, for the consideration of development entitlements that will result in the planting of the maximum number of acres of new vineyards, under the Alameda County East County Area Plan, and fees necessary to achieve the overall goals and objectives of the General Plan in a timely and reasonable manner (NLUGBI).*
- P3. Encourage the development of additional sources of irrigation water for vineyards and other cultivated agriculture by investigating wastewater reclamation and development of other supply and delivery resources. Encourage Zone 7 to consider developing a pump monitoring and cost allocation system to cover the cost of new water in the event that additional supplies are needed.
- P4. Encourage the annexation of lands within the South Livermore Valley where the following criteria are met:
- (a) An urban development project is proposed that would significantly contribute to the goal of maximizing the number of acres of permanently protected vineyards or other cultivated agriculture in the South Livermore Valley and that meets the criteria in Objective LU-19.1, policies P1 through P7.
  - (b) The project sponsor has entered a pre-annexation agreement with the City establishing a cooperative annexation application process and specifying the development conditions applicable to the lands to be annexed.
  - (c) To the extent that annexation is reasonably incidental to an annexation described in subparagraph LU-14.1.P4(a) above, properties may be annexed which are under agricultural easements.
  - (d) Annexation of lands within the South Livermore Valley shall be actively discouraged where the foregoing criteria are not met.

**Goal LU-15 Preserve South Livermore’s unique rural and scenic qualities.**

**Objective LU-15.1 Maintain a land trust to permanently protect productive and potentially productive cultivated agricultural lands in the South Livermore Valley.**

Policies

- P1. Standards and priorities for acquisition of land or easements by the Tri-Valley Conservancy shall be based on the following considerations:
- (a) Development of a critical mass to sustain agricultural operation in the South Livermore Valley.
  - (b) Preservation of lands best suited for agriculture and most threatened by development pressures.
  - (c) Preservation of contiguous tracts of agricultural land of a size large enough to maintain commercial agricultural operations.
  - (d) Minimization of conflicts with non-farm uses.
  - (e) Maintain the permanent South Livermore Urban Growth Boundary.
  - (f) Protection of critical habitat areas within the South Livermore Valley.
- P2. Maintain and enhance the visual quality of the South Livermore Valley by limiting inappropriate uses in viticultural areas and encouraging good design through establishment of appropriate design guidelines.

Action

Consider adopting other policies and programs establishing other sources of funds for the Tri-Valley Conservancy.

**Goal LU-16 Discourage and minimize development on lands with existing vineyards and on lands suitable for viticulture.**

**Objective LU-16.1 Limit further urbanization within the South Livermore Valley in areas under City jurisdiction to development that substantially enhances cultivated agriculture.**

Policies

- P1. Prohibit additional development unless it will directly further the South Livermore Valley's purpose of expanding and enhancing cultivated agriculture.
- P2. Strongly discourage the non-renewal or early termination of Williamson Act contracts. County and City agriculture preserve guidelines and individual contracts may be modified to specifically accomplish the objectives of preserving and promoting agriculture, in conformance with South Livermore Valley policies.
- P3. Require that urban development within the South Livermore Valley mitigate impacts on and substantially enhance cultivated agriculture, by means of paying agricultural mitigation fees to the Tri-Valley Conservancy, by the direct planting of new vineyards, by dedicating agricultural easements on lands within the South Livermore Valley, and/or by including major wine-oriented attractions that would increase recognition of the South Livermore Valley as a premium wine-producing region.

**Goal LU-17** Coordinate land use planning of the area between Alameda County and the cities of Livermore and Pleasanton so as to increase certainty over future land uses and to reduce speculation.

**Objective LU-17.1** Maintain the permanent South Livermore Growth Boundary and open space buffer between the cities of Pleasanton and Livermore in the South Livermore Valley.

Policy

- P1. Encourage the cooperation of Alameda County, Livermore and Pleasanton in reaching the goals and objectives of the South Livermore Valley through coordination of land use plans, use of pre-annexation, development, joint powers, tax-sharing, or other agreements, or other appropriate devices to coordinate future land uses and appropriate mitigation measures.

**Goal LU-18** *It is the goal of the City to establish a coherent and logical pattern of urban uses that protects and enhances open space and agricultural uses by providing a clear and permanent boundary for urban uses within the City's planning area. The provisions of GOAL LU-18, as readopted by the South Livermore Urban Growth Boundary Initiative, shall be amended only by a vote of the people.*

**Objective LU-18.1** *Maintain a permanent Urban Growth Boundary (UGB) on the City's southern edge (as indicated Figure LU 3-6 and the City's Land Use Map) beyond which urban development shall not be permitted. Non-urban uses, such as agriculture, parks, and open space may be permitted within and beyond the South Livermore UGB. (Relevant provisions of that Initiative are found in Appendix 3 of Appendix A.)*

Policies

- P1. *For the purposes of this section, “urban uses” and “urban development” include any use that is not permitted on lands with a general plan land use designation of Limited Agriculture; General Agriculture; Viticulture; Agriculture/Viticulture; Parks, Trailway and Recreation, Corridor, and Protected Areas; or Range and Grassland, as those designations existed on December 6, 1999. (South Livermore Urban Growth Boundary Initiative, 3-7-2000)*
- P2. *For the purposes of this section, "urban services" refer to sewer and water service*
- P3. *Permit only non-urban uses beyond the UGB within the City's municipal boundary. Beyond the City's municipal boundary, discourage and oppose any urban uses.*
- P4. *Extend urban services only to areas within the UGB, except that the City may provide:*
- (i) sewage treatment and disposal services to the Veterans Administration Hospital for hospital uses;*
  - (ii) urban services for residences on parcels outside of the South Livermore UGB which parcels were existing as of October 27, 1997, provided the property receiving such services shall record a binding agreement between the property owner and the City disallowing further division of the property and any provision of urban services to non-residential uses upon the property;*
  - (iii) urban services for commercial uses on parcels outside of the South Livermore UGB which parcels were existing as of October 27, 1997, subject to the following:*
    - (a) the subject property is designated under the South Livermore Valley Area Plan for agricultural uses, with associated allowable commercial uses;*
    - (b) the service(s) will be utilized for allowable commercial uses consistent with the provisions of the South Livermore Valley Area Plan only;*
    - (c) the subject property is located adjacent to the Livermore municipal boundaries as of the date of the adoption of the SLVSP and, is located adjacent to the Urban Growth Boundary;*

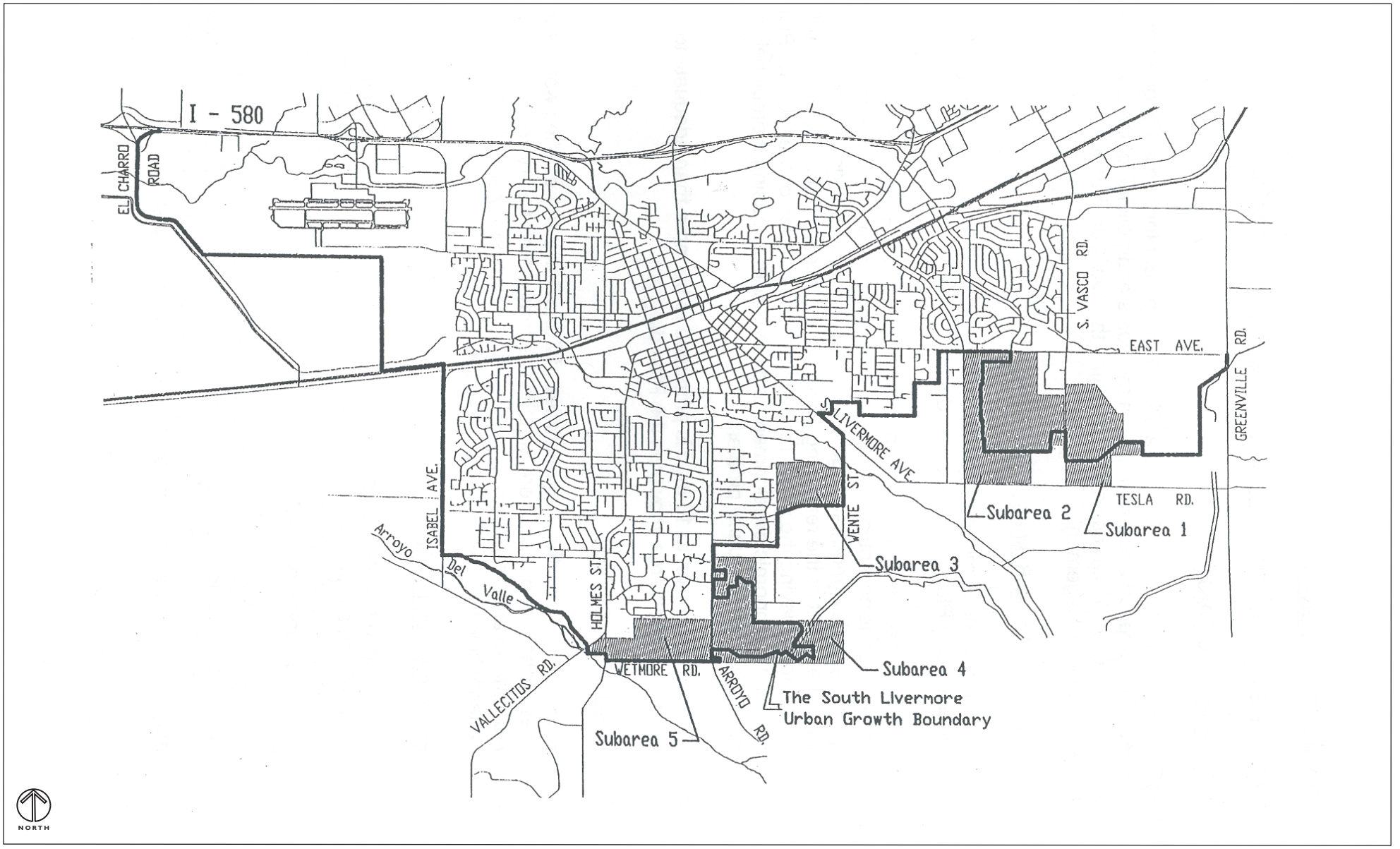


FIGURE 3 - 6

**SOUTH LIVERMORE URBAN GROWTH BOUNDARY**

- (d) *if required by City or LAFCO policy, the property will annex to the City;*
  - (e) *the service(s) can be provided to the subject property without any potential growth inducing impacts associated with potential provision of urban services to areas not otherwise allowed to receive such services under the South Livermore Valley Specific Plan or South Livermore Valley Area Plan;*
  - (f) *before receiving such service(s), the property owner will record a conservation easement over the subject property in a form acceptable to the City which restricts use of the subject property to agricultural and open space uses, except as to a delineated commercial use area within which allowable commercial uses and intensity of such uses shall be delineated; and*
- (iv) *for sewer service in unincorporated areas, the connections (residential and commercial) shall allow no more wastewater flow than the equivalent of ten residential units as required by the LAVWMA Joint Powers Agreement. This requirement shall apply cumulatively to all contiguous uses within the unincorporated geographic area. Larger scale sewer service to unincorporated areas requires the unanimous approval of the LAVWMA Board of Directors. If areas are annexed, this restriction will not apply.*
- P5. *Encourage compatible uses immediately inside the South Livermore UGB, as necessary to prevent potential land use conflicts with outlying non-urban uses.*
- P6. *The South Livermore UGB is indicated by a solid line in Figure 3-6 and the City's Land Use Map.*
- P7. *The foregoing provisions of Objective LU 18.1 and Figure 3-6, as readopted by the South Livermore Urban Growth Boundary Initiative, shall be amended only by a vote of the people or otherwise in accordance with Section 3.D. of the South Livermore Urban Growth Boundary Initiative.*

**Goal LU-19 Establish and maintain urban development criteria for the South Livermore Valley.**

**Objective LU-19.1 Require any urban development proposal within the South Livermore Valley to meet criteria intended to promote agriculture and discourage irresponsible development.**

Policies

- P1. Urban development in the South Livermore Valley shall not be approved unless all necessary public utilities and services are available.
- P2. Urban development in the South Livermore Valley shall not be approved unless the project will contribute funds for a recycled water treatment system. Contributions should equal or exceed the cost of providing recycled water equal in volume to 120 percent of anticipated water use of the development.
- P3. Urban development in the South Livermore Valley shall not be approved unless the project protects public health and safety and the integrity of the unique surrounding landscape within the South Livermore Valley by prohibiting grading or development on slopes of 25 percent or more and prohibiting mass grading on slopes of between 10 and 25 percent. Development shall be located, sited, and designed to fit and be subordinate to natural landforms.
- P4. Urban development in the South Livermore Valley shall not be approved unless the project will not require cancellation of a Williamson Act contract, unless the development proponent can show, to the satisfaction of the City of Livermore, that cancellation will result in a more compact development pattern than development of proximate non-contracted lands. It is required that an area within the South Livermore Valley equal or greater in area to the parcel(s) on which cancellation would occur be cultivated and placed under permanent agricultural easement and a long-term maintenance contract, prior to final approval of any cancellation.

- P5. Urban development in the South Livermore Valley shall not be approved unless the project site will not displace a significant amount of any actively farmed vineyards, defined as vineyards that produced and harvested wine grapes in 1991. Any actively farmed vineyards that are displaced shall be mitigated by planting and maintenance of and dedication of agricultural conservation easements over unplanted land equivalent to the displaced farmlands in addition to and in accordance with the agricultural protection policies set forth in P7, below.
- P6. Urban development in the South Livermore Valley shall not be approved unless the project site is contiguous to the existing boundaries of the City of Livermore. The City of Livermore has determined the exact location of urban development through the adoption of a specific plan and General Plan amendment.
- P7. Urban development in the South Livermore Valley shall not be approved unless, at a minimum, the project protects and promotes viticulture or other cultivated agriculture through the following means:
- (a) Development is located and clustered, to the maximum extent feasible, adjacent to existing City boundaries to minimize loss of better quality soils for wine grapes, and is sited and designed to create a logical, permanent urban edge to Livermore.
  - (b) To mitigate the loss of cultivable soils, a minimum of one acre in the South Livermore Valley is planted in new vineyards or other appropriate cultivated agriculture, and permanently protected through dedication of agricultural easements for each acre developed. Mitigation acreage thus planted and protected should be contiguous to the extent possible to ensure mitigation acreage of sufficient size to form a viable agricultural unit.
  - (c) To enhance cultivated agriculture in the South Livermore Valley, a minimum of one acre within the South Livermore Valley, in addition to acreage required in (b) above, is planted in vineyards or other appropriate cultivated

agriculture, and is permanently protected through dedication of agricultural easements for each new dwelling unit permitted in the project. Mitigation acreage thus planted and protected should be contiguous to the extent possible to ensure mitigation acreage of sufficient size to form a viable agricultural unit.

- (d) Mitigation acreage required under (b) and (c) above is not eligible for bonus densities, as permitted under the Cultivated Agricultural Overlay District described in the South Livermore Valley Area Plan (County Plan).
- (e) Require mitigation acreage for urban development in the South Livermore Valley to be dedicated and planted, and that evidence of a long-term maintenance contract (eight years or more) be given, prior to approval of a final map. This requirement can be phased, as long as phasing is consistent with final map phasing.
- (f) Require that new cultivated agriculture resulting from South Livermore Valley policies use water conserving best management programs, including the use of drip irrigation wherever feasible.
- (g) Development includes at least one major draw or attraction that would increase recognition of the South Livermore Valley as a premium wine-producing region. Examples of appropriate attractions include a wine-related institute, research center or conference center, wine museum, cultural arts center or a resort hotel. Consideration should be given to creating a “Wine Country Center” that would serve as a focal point for visitors to the region by combining one or more major attractions with ancillary retail uses, such as restaurants, art galleries or shops, bicycle rentals, delis, or other appropriate small-scale uses that would complement the major attraction. Ancillary retail uses would be limited, and should be carefully considered to complement businesses in Downtown Livermore. Retail uses and for-profit major attractions should be subject to an agricultural mitigation fee of \$2.50 per square foot. Fee amounts should be adjusted annually to reflect changes in the Consumer Price Index.

- P8. In lieu of providing the mitigation acreage required under P7, the project may mitigate the loss of the area's unique rural scenic qualities and sensitive natural resources by dedicating land that has been identified by the City in the South Livermore Valley Specific Plan as Regional Open Space due to its significant contribution to the protection of the South Livermore Valley's natural environment. Such dedications shall, at a minimum, meet the following criteria:
- (a) A minimum of one acre of Regional Open Space shall be dedicated for each acre developed and, in addition, a minimum of one acre of environmental and open space land shall be dedicated for each new unit permitted in the project.
  - (b) For environmental and open space land that the City determines is not suitable for agricultural, residential, or active recreational use, three acres shall be dedicated for each acre required by paragraph P8(a), above, although the City may allow a small percentage of environmental and open space land (ten percent) to be dedicated at a one-to-one (1:1) basis for mitigation instead of three-to-one (3:1).
  - (c) Mitigation acreage should be contiguous to the extent necessary to form a viable open space resource or environmental protection zone.
  - (d) Mitigation acreage required under this policy is not eligible for bonus densities permitted under the Cultivated Agricultural Overlay District described in the South Livermore Valley Area Plan (County Plan).

**Objective LU-19.2 Designate appropriate City areas within the South Livermore Valley as “Transitional Areas” due to physical isolation from the main part of the South Livermore planning area, adjacency and relationship to existing urbanized areas, and/or locations within the existing City.**

Policies

- P1. Encourage new urban development within Transitional Areas to provide a graceful transition between existing urban areas and the Vineyard Area, and promote recognition of the area as a premier wine-producing region through structural design, appropriate landscaping and open space, and signage.
- P2. Ensure that urban development within Transitional Areas compensates for loss of cultivable or potentially cultivable soils through use of agricultural mitigation fees to fund the Tri-Valley Conservancy. Fees should be calculated based on a one-to-one ratio between the cost per acre for agricultural easements to the Conservancy and the net acreage of potentially cultivable soils less than 25 percent in slope lost to development. Agricultural easements are assumed to have an average value of \$10,000/acre (1992 value). Fee amounts should be adjusted annually to reflect changes in the Consumer Price Index. The City should ensure collection and distribution of agricultural mitigation fees in Transitional Areas through use of joint powers, pre-annexation, tax-sharing, and/or development agreements, or other appropriate means.

Action

- A1. Continue to maintain a Transferred Development Overlay District that includes land that has been determined to be suitable for development at urban densities provided the impacts of such development are mitigated through preservation of agricultural, regional parkland, environmental, and scenic resources elsewhere in the South Livermore Valley.

**Goal LU-20 Maintain the rural qualities of the unincorporated part of the Livermore Planning Area.**

**Objective LU-20.1 Preserve agricultural and natural resources in the unincorporated area to provide the natural setting for Livermore's identity.**

Policies

- P1. The City shall request Alameda County to limit land uses in the unincorporated part of the Planning Area, including that designated Rural Residential, to agricultural and open space uses.
- P2. The City shall encourage Alameda County, the State, non-profit organizations and interested individuals to preserve, acquire and enhance open space in the Planning Area.
- P3. The City shall collaborate with Alameda County and with Alameda County LAFCO to protect existing land uses from development inappropriate for rural areas.
- P4. The City shall advocate at the State level for expansion of incentives, such as Williamson Act contracts, that allow agricultural operations to remain economically viable.
- P5. The City shall encourage local property owners to place agricultural land under easement with the Tri-Valley Conservancy, or a similar entity working in other parts of Livermore, and/or to protect their farms with Williamson Act designation.
- P6. All new developments adjacent to agricultural land shall be subject to an ordinance that preserves the right to farm. Prior to property transfer, disclosure of the right to farm shall be provided to all purchasers and lessees.
- P7. No proposed projects adjacent to agricultural areas shall be approved if they are found to substantially interfere with existing agricultural production.

Action

- A1. Provide input to Alameda County on applications in the Planning Area for discretionary land use approvals, both through the environmental review process and by commenting on referrals from the County.

***F. Allowed Development in the South Livermore Valley***

As discussed in *Section E, South Livermore Valley Goals, Objectives, Policies, and Actions*, in October 1993, the City of Livermore amended its General Plan to incorporate relevant policies from the County's South Livermore Valley Area Plan. In addition to providing a policy framework for the South Livermore Valley that was consistent with that adopted by the County, the amended General Plan established City policy that development of up to 1,600 residential units was permitted in South Livermore Valley Area Plan – Vineyard Area as a means of achieving expanded viticultural acreage south of the City (i.e. through implementation of an agricultural mitigation program). The amended General Plan also stated that the City of Livermore would establish the exact location of urban development in South Livermore Valley Area Plan – Vineyard Area through the adoption of the South Livermore Valley Specific Plan (SLVSP). (Reso. 2011-063)

As a means of implementing the policies incorporated into the General Plan, one overarching land use designation, the *Agriculture/Viticulture (AGVT)* designation, was established. This designation was established such that it could be implemented through a variety of means. The standard AGVT designation allows one residential unit per 100 acres. If implemented in this manner, the land shall be used to preserve and promote agricultural and viticultural uses as the primary uses of the land. The AGVT density allows one residential unit per 100 acres; however, it is subject to, and property owners may utilize, the *Rural Density Program*, described below. At this time, the Rural Density Bonus Program does not apply to any other areas in the City's Planning Area. In the future, however, the Rural Density Bonus Program could be applied to additional areas in the City's Planning Area provided that those areas are rezoned to Planned Development/Agriculture (PD-A).

*Rural Density Program Requirements* - The agriculture/viticulture density shall be subject to a density bonus of up to four additional home sites per 100 acres (one dwelling unit per 20 acres maximum average density), if the following criteria are met:

- (1) The parcel is zoned PD/Agriculture;
- (2) Adequate water supplies are available for both domestic and irrigation needs, and all proposed uses can be served by individual septic systems;
- (3) Sensitive or unique environmental and land characteristics are protected;
- (4) Prior to final subdivision map approval (or through further surety that such planting will be completed within 39 months of filing the final map, unless an extension is granted), a minimum of 90 percent of the parcel is planted in wine grapes or other cultivated agriculture, with provisions that will ensure its continued cultivated agricultural use through a long-term (minimum of 8 years) agreement for operation and maintenance and is permanently protected through dedication of agricultural easements;
- (5) Agricultural home sites, ancillary uses and parcel configurations are sited to maximize productive use of land for intensive cultivated agriculture. In order to ensure the protection and enhancement of the image and visual quality of the South Livermore Valley, tentative subdivision maps and site plan approvals for the bonus parcels created under the Agriculture/Viticulture designation shall include design guidelines which address: location of residential home sites; protection of scenic views, vistas, and ridgelines; architectural design, including but not limited to style, colors and materials which complement the area, building types and heights, building scale and massing of structures, and solar efficiency and innovation; fencing location and materials; and landscaping guidelines to encourage the use of native and/or low water use plant materials.

The AGVT designation also allows the potential for urban development through two overlay districts; the *Transferred Development Overlay (TDO) District* and the *Conditional Urban Overlay (CUO) District*.

The TDO district, briefly described in *Section E, South Livermore Goals, Objectives, Policies, and Actions*, includes land that has been determined to be suitable for development at urban densities provided the impacts of such development are mitigated through preservation of agricultural, regional parkland, environmental, and scenic resources elsewhere in the South Livermore Valley. Within the TDO District (i.e., the Alden Land Transitional Area, Figure 3-7), a density bonus allowing development of up to a total of 350 new residential units and ancillary supporting uses (i.e. schools, parks, and trails) may be granted for projects developed pursuant to a Planned Unit Development (PUD) permit that include for every two units of development authorized by the General Plan:

- ◆ Purchase of one transferable development right (TDR) authorized by the City for use within the Transferred Development Overlay (TDO) District; and,
- ◆ Dedication of land designated as Regional Open Space within Subarea 7 (discussed below) to the Livermore Area Recreation and Parks District (LARPD) in an amount equivalent to one acre of mitigation credit calculated in accordance with General Plan policy LU-19.1.P8; other lands may be dedicated if the City determines that all available lands or credits for lands in Subarea 7 have been dedicated or retired.

The Regional Open Space dedication requirement may be satisfied by payment of a fee established by the City for acquisition and dedication of Regional Open Space or agricultural land consistent with the dedication requirement. Development within the TDO District, pursuant to a density bonus, shall also pay the agricultural mitigation fees referenced in *Section G, Alden Lane Transitional Area*, below. Any Planned Unit Development permit for the TDO District shall include conditions sufficient to ensure the development will have no significant adverse effects on the environment. The TDO District has been applied to the eastern portion of the Alden Lane Transitional Area, generally referred to as the South Livermore Transferable Development Rights (TDR) site.

The other overlay district, the Conditional Urban Overlay (CUO) District, permits urban development in seven specified geographical areas (Subareas 1 through 7) utilizing four land use subdesignations. The four subdesignations are Residential Development Area, Vineyard Commercial, Agriculture Preserve, and Regional Open Space. These land use subdesignations are described below.

AGVT Subdesignations

*Residential Development Area* - These areas primarily consist of residential development and those ancillary uses that support it, such as schools, parks and trails.

*Vineyard Commercial* - Areas that permit the limited development of wine country commercial uses that directly support the South Livermore Valley wine region. Specific commercial uses are designated for each area.

*Agriculture Preserve* - Areas that are designated for intensive agriculture, particularly viticulture. Other agricultural uses identified by the SLVSP may also be permitted, such as long-established rural residences. In order to mitigate the loss of agricultural land to development, these areas will be placed under permanent agricultural easements.

*Regional Open Space* - Areas set aside for the protection of environmental, visual and open space resources. In order to mitigate the impacts of urban development, these areas will be placed under permanent open space easements and dedicated to and accepted by LARPD as regional parkland.

The *seven, geographical subareas*, identified as such on the General Plan Land Use Map, utilize two or more of these land use subdesignations. Each subarea, and the subdesignations and permitted densities contained therein, are described below.

Geographical Subareas and Corresponding Land Uses

*Subarea 1* - Up to 133 new residential units may be constructed within a 57-acre designated Residential Development Area in conformance with the SLVSP. The Residential Development Area shall also include at least 6.2 acres of open space and trails. Four rural residential compounds will remain in addition to Stivers Academy. The remaining lands within the subarea shall be used for viticulture or other cultivated agriculture and designated as Agricultural Preserve.

*Subarea 2* - Up to 574 new residential units may be constructed within a 212-acre designated Residential Development Area in conformance with the SLVSP. The Residential Development Area shall also include 18 acres of trails and open space including a 12.5-acre park. A total of 10.2 acres consisting of two separate sites are designated Vineyard

Commercial. A site located near East Avenue is 2.2 acres with development potential to include a small winery and other wine related commercial uses. A site located near Tesla Road is 8 acres with development potential to include a medium winery and other wine related uses. One rural residential compound shall remain on an approximate 6 acres adjacent to the Tesla Road for farm support operations that will continue to operate as such. The remaining lands within the subarea shall be used for viticulture or other cultivated agriculture and designated as Agricultural Preserve.

*Subarea 3* - Up to 246 residential units may be constructed within a 96-acre designated Residential Development Area in conformance with the SLVSP. The Residential Development Area shall also include 1.8 acres of trails and open space. (Reso. 2011-063)

*Subarea 4* - Up to 130 residential units may be constructed within a 76-acre designated Residential Development Area in conformance with the SLVSP. The Residential Development Area shall also include 6.7 acres of open space and trails. Twelve-acres are designated Vineyard Commercial, with development potential for a 10,000 square-foot olive mill and small winery on three-acres, one small winery, one small winery or one boutique winery and residence of three acres each, and a three-acre small restaurant/winery may be developed in conformance with the SLVSP. Fifty-six acres are designated Regional Open Space, and used for regional parkland. Four rural residential compounds will remain. The remaining lands within the subarea are designated as Agricultural Preserve and will be used for viticulture or other cultivated agriculture.

*Subarea 5* - Up to 177 residential units may be constructed within a 90-acre designated Residential Development Area in conformance with the SLVSP. In addition, 16-acres are designated Vineyard Commercial, including development potential for a 20,000- to 25,000-square foot wine country commercial center on up to three-acres, a 30-room inn and large restaurant on three-acres, three small new wineries on three acres each, and a one-acre bed-

and-breakfast inn developed in conformance with the SLVSP. Five rural residential compounds will remain. The remaining lands within the subarea shall be used for viticulture or other cultivated agriculture and designated as Agricultural Preserve.

*Subarea 6* - No residential development shall be permitted. Up to 12 acres are designated Vineyard Commercial with potential for a medium-sized winery to be developed in conformance with the SLVSP. The remaining lands within the subarea are designated as Agricultural Preserve and shall be used for viticulture or other cultivated agriculture.

*Subarea 7* - Up to twelve residential units may be constructed within Subarea 7. Up to five one-acre home sites, and a home site and small winery on a three-acre site may be developed within the 92-acre family compound at the eastern edge of the subarea, and up to six parcels of approximately 20-acres, each but in no event less than 18 acres (with a residence and, subject to a conditional use permit, a boutique winery on each) may be developed on the lower bench and clay pan area.

In addition, one of the 20-acre parcels may be developed with either:

- (1) A medium sized winery; or,
- (2) A winery together with a wine country inn (with 30 rooms) and a restaurant (with sit down seating for 100 people) in conformance with the SLVSP.

The 370-acres of Subarea 7 shall be designated as Regional Parkland and Open Space. Based on the Regional Open Space mitigation criteria in General Plan policy LU 19.1 P8, the combination of flat and sloped land within the Regional Open Space designation is equivalent to 305 total acres of mitigation credit. In addition, 25 acres of land designated as Agriculture Preserve in the western portion of the family compound may be made available for mitigation in the future either as a result of being planted in accordance with the SLVSP or redesignated as Regional Open Space and dedicated to the Livermore Area Recreation and Parks District.

The Regional Open Space, family compound, and 20-acre parcels shall be subject to conservation easements protecting agricultural, habitat, and open space resources on the site and allowing the uses described above. Development of the six home sites on the 92-acre family

compound shall be mitigated by planting 10-acres of the compound in vineyards or orchards and permanently preserving the wooded slope on the northern edge of the compound. If additional land in the family compound is planted in accordance with SLVSP requirements, that land may be eligible for use as mitigation credit pursuant to General Plan policy LU 19.1 P7. Development of the six 20-acre parcels shall be mitigated in accordance with the Rural Density Program requirements, above, except that in the event that a commercial site is established in accordance with the TDO district, the mitigation requirement for this parcel may be satisfied by planting and dedicating that portion of the parcel that lies outside the designated commercial site area.

In addition to the uses described above, the western portion of Subarea 7 is entitled to 175 units of transferable development rights (23 of which have been transferred to the City pursuant to an agreement between the City and the Subarea 7 landowners) which may be used for development with the TDO District discussed above in this section.

### **G. Transitional Areas**

This section includes descriptions and requirements that apply to two transitional areas, as mapped in Figures 3-7 and 3-8 and described below. These two transitional areas include Alden Lane Transitional Area and the Vineyard Estates Transitional Area.

#### **Alden Lane Transitional Area**

The Alden Lane Transitional Area is roughly bounded by Alden Lane on the north, Holmes Avenue on the east, East Vineyard Avenue on the south, and Isabel Avenue on the west. This area was designated as a “Transitional Area” due to physical isolation from the main part of the County Plan, its adjacency and relationship to existing urbanized areas, and/or location within the existing City. This area was designated as the receiver site for the 350 residential units from South Livermore Valley Subarea 7. This area is generally referred to as the South Livermore Valley Transfer of Development (TDR) site. While this area has already been developed, the following requirements, extracted from the County Plan, were utilized to regulate the development of this transitional area:

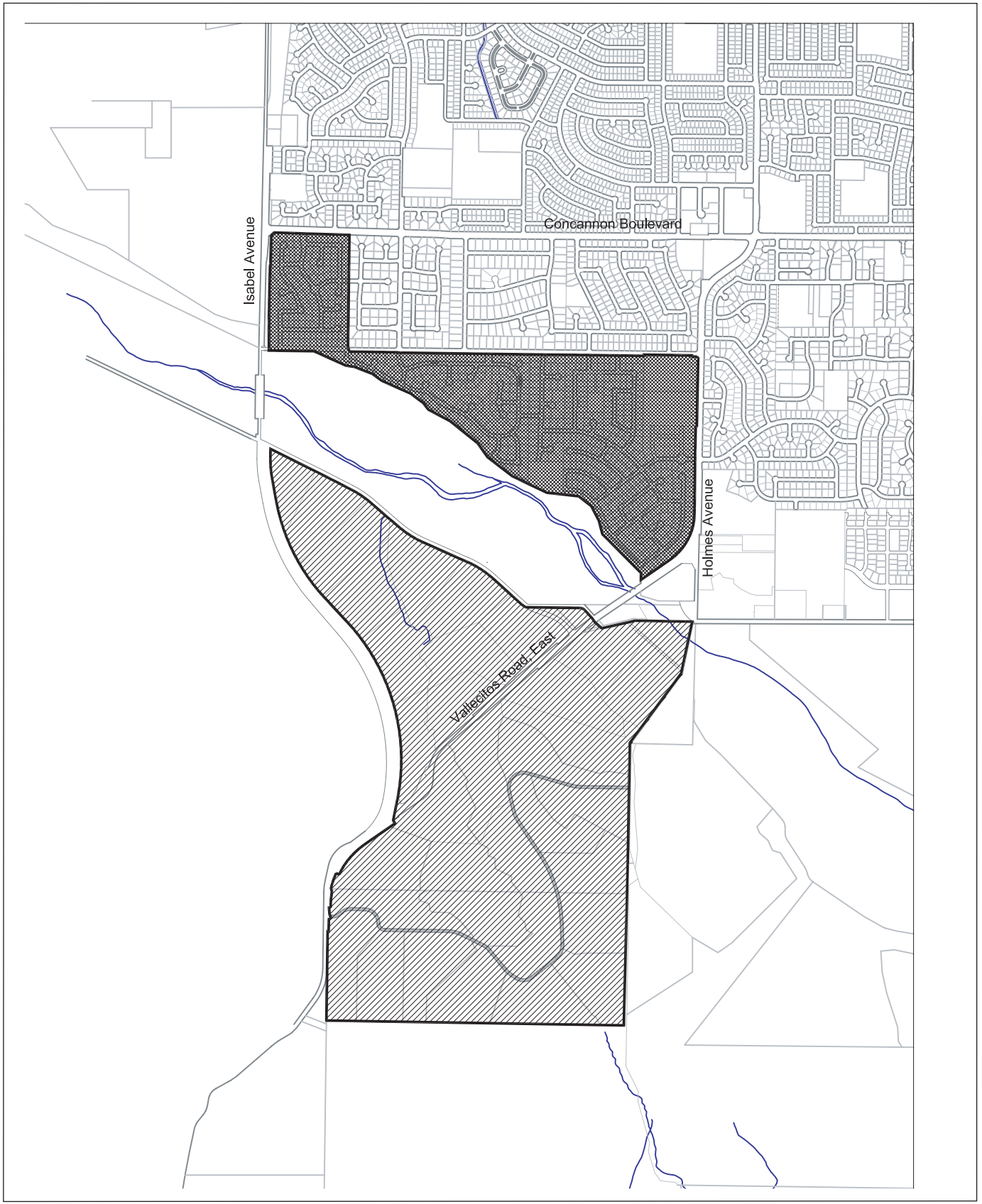
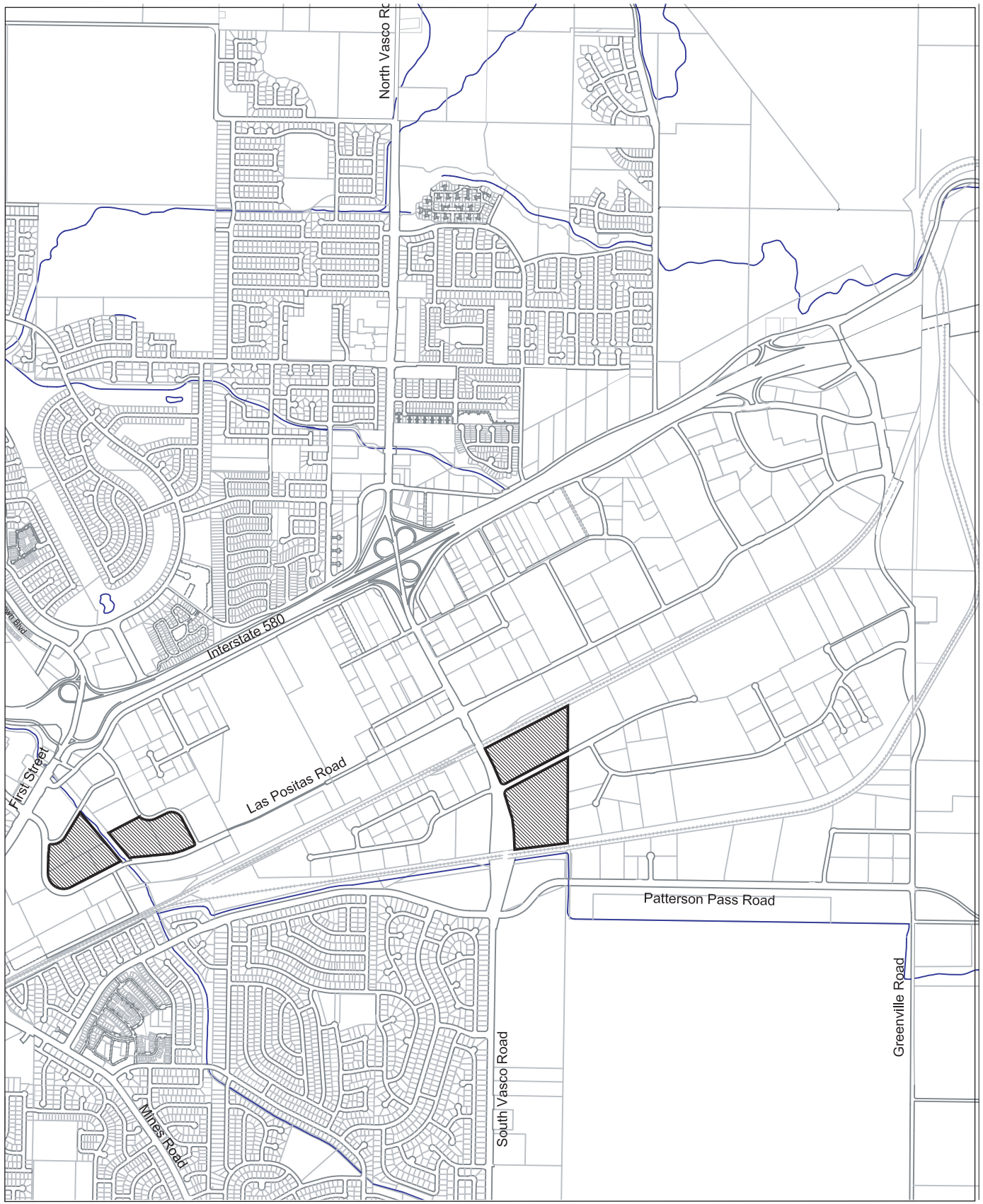


FIGURE 3 - 7

- 
Alden Lane  
Transitional Area
- 
Vineyard Estates  
Transitional Area

**ALDEN LANE AND VINEYARD ESTATES  
TRANSITIONAL AREAS**



**Eastside Transitional Area**

**FIGURE 3 - 8**

**EASTSIDE TRANSITIONAL AREAS**

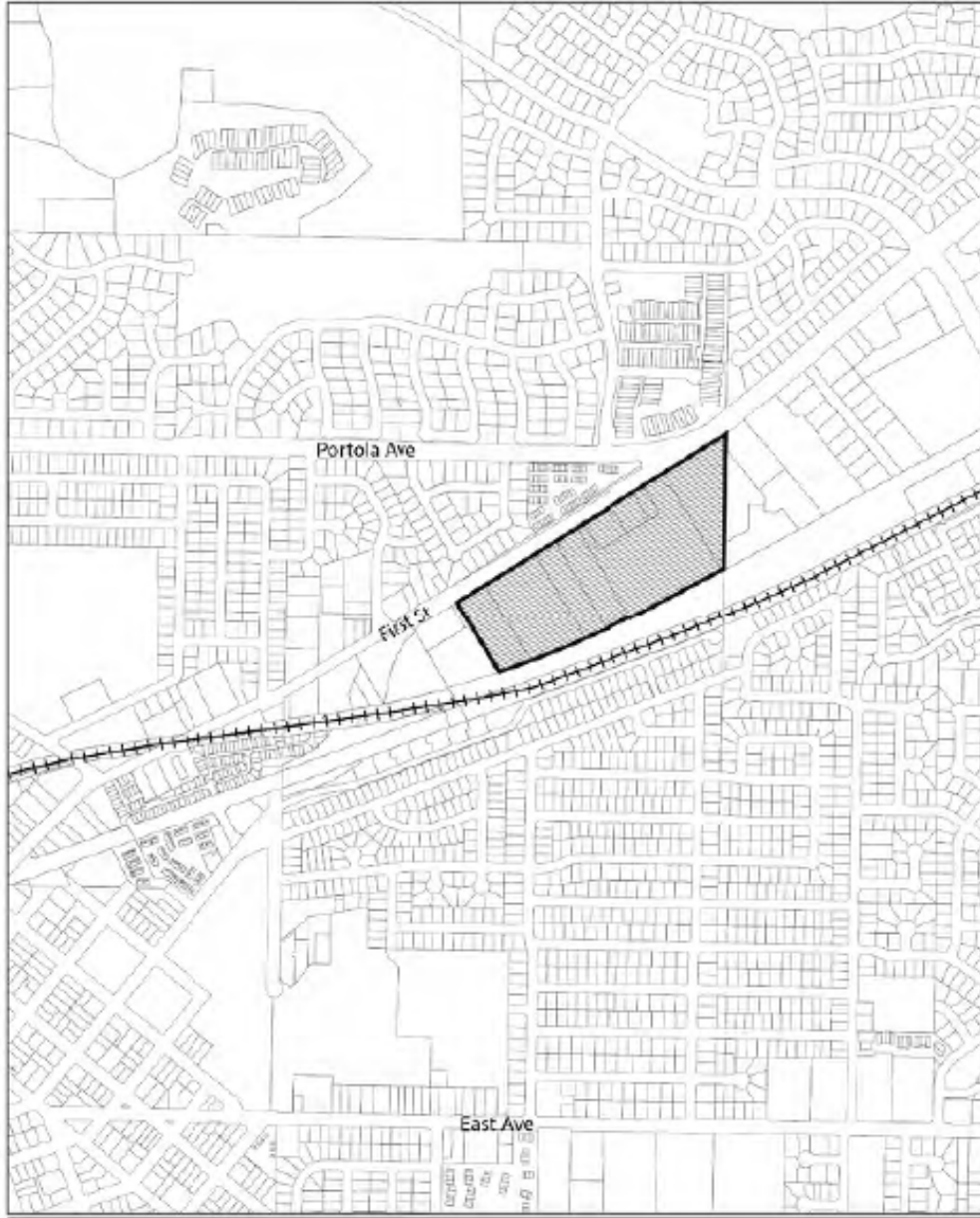
- (a) Encourage new urban development within the Alden Lane Transitional Areas to provide a graceful transition between existing urban areas and the South Livermore Valley, and promote recognition of the area as a premier wine-producing region through structural design, appropriate landscaping and open space, and signage.
- (b) Ensure that urban development within the Alden Lane Transitional Area compensates for loss of cultivable or potentially cultivable soils through use of agricultural mitigation fees to fund the Tri-Valley Conservancy. Fees should be calculated based on a one-to-one ratio between the cost per acre for agricultural easements to the Trust and the net acreage of potentially cultivable soils less than 25 percent in slope lost to development. The value of agricultural easements shall be periodically updated to reflect market value. Fee amounts should be adjusted annually to reflect changes in the Consumer Price Index. The City should ensure collection and distribution of agricultural mitigation fees in Transitional Areas through use of joint powers, pre-annexation, tax-sharing, and/or development agreements, or other appropriate means.


### **Vineyard Estates Transitional Area**

The Vineyard Estates Transitional Area includes approximately thirty 20-acre parcels, totaling around 700 acres, located just west of SLVSP Subarea 7. However, this area is not a part of the subareas planned for in the SLVSP. Each parcel in this area may include one house and/or winery within a specified a two-acre building envelope. The remaining 18 acres of each parcel must be put under a permanent conservation easement. This Transitional Area is a key part of the City's strategy of creating a very low density area between the vineyards and open space to the south and west and the more intense urban development to the north. The base designation in the Vineyard Estates Transitional Area is Agriculture/Viticulture (AGVT).

### **First Street Corridor Transitional Area**

The First Street Corridor Transitional Area is approximately 24 contiguous acres of land southeast of the First Street intersection with Portola Avenue, as shown in Figure 3-9.



 First Street Corridor  
Transitional Area

**FIGURE 3-9**  
LOCATION OF FIRST STREET  
TRANSITIONAL AREA

This area is designated as a “Transitional Area” due to its unique scale and relationship to existing urbanized uses within the City and there being sufficient remaining Service Commercial land in the City. The effect and intent of the Transitional Area designation are four-fold.

- (1) To allow property owners to continue to use the Service Commercial land use designation and Commercial Service zoning, while establishing the option to propose residential zoning and development at the Urban High 2 (UH-2) designation at 8 to 14 dwellings per acre. Thus the Transition Area shall have a dual land use designation of SC/UH-2. This area is also designated as a Transferable Development Credit (TDC) Receiving site. All units shall be subject to compliance with the City’s TDC General Plan policies and Ordinance as a condition of approval.
- (2) To encourage residential development to use the Transect 4 Neighborhood (T4N) zoning district for residential development in this Transitional Area.
- (3) To require development to follow the circulation concept plan in Figure 3-10. This circulation plan’s main elements include: (a) signalized First Street intersections as shown. (b) the Ironhorse Trail alignment along the south boundary; (c) a cross-connecting east-west internal street alongside the Ironhorse Trail improvements; (d) a north-south connection from the aforementioned east-west street to each of the First Street signalized access points in the locations shown meeting the connection intent; (e) a pedestrian cross connection in roughly the north third of the Transition Area that development must construct and connect to and from; and (f) a pedestrian connection from the southeast and southwest corners of the Transition Area along the east and west boundaries to First Street.
- (4) To encourage connectivity to and visits Downtown via First Street.

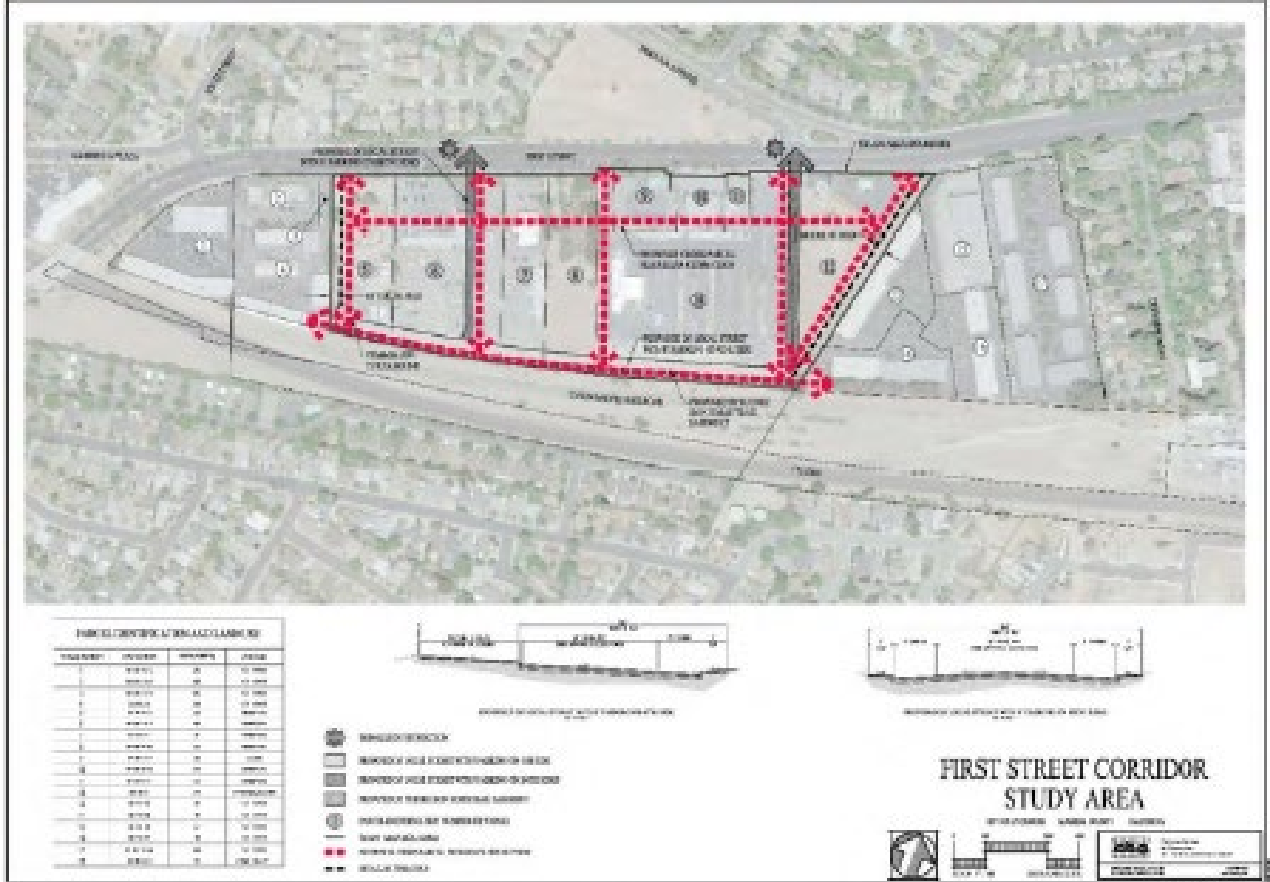


Figure 3-10  
 First Street Corridor Circulation Concept Plan

## **H. New TOD Mixed-Use Neighborhoods Study Area**

This section includes requirements that apply to two mixed-use neighborhood areas outside of the Downtown, as discussed below and mapped in Figure 3-8. These areas include the East Side Transitional Areas and the Greenville BART Transit Oriented Development Area.

### **East Side Transitional Areas**

Before new mixed-use development is allowed in the East Side Transitional Area, a neighborhood plan shall be developed for each such area showing circulation and land use in the interest of safety, convenience, and maximum benefit for residents alike. The City should do this in cooperation with the property owners of each area. The neighborhood plans will establish a basic framework for circulation, land use, building, signing and landscaping that will permit orderly growth as the mixed-use neighborhood expands. In addition, neighborhood plans will include locations for schools and parks, and will address compatibility with surrounding uses.

### **Greenville/Southfront Transit-Oriented Development (TOD) Study Area**

The purpose of the Greenville/Southfront TOD is to provide land use appropriate to a future commuter transit station. At such time that the City receives a commitment from a regional transit provider to extend rail service and establish a station in the Greenville/Southfront TOD area, a specific plan for the area shall be developed. The plan would include sufficient acreage for a station area, and parking to be determined in coordination with the regional transit provider, with the remainder of the area to be designated mixed-use and residential uses. Densities in the specific plan should feather from the highest mixed-use density closest to the transit station to single-family urban residential designations at the edges. Preparation of a specific plan shall be coordinated with the regional transit provider and other responsible agencies (such as LVJUSD, LARPD, EBRPD, Zone 7, and Federal and State Resource Agencies) to ensure that appropriate public services and facilities are provided and that potential environmental impacts are mitigated to the extent feasible.

The Environmental Impact Report prepared for the 2003 General Plan assumed that 4,474 housing units would be built within the Greenville TOD area. With adoption of the Isabel Neighborhood Specific Plan, 4,095 of these assumed housing units were shifted to the Isabel Neighborhood for planning and environmental review purposes. Any future growth in the Greenville/Southfront TOD area that would exceed the General Plan's existing capacity shall be analyzed as part of a Greenville/Southfront TOD specific plan process, including a separate environmental review, or as part of a comprehensive General Plan update. (Reso 2020-202; 2020-203).